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Assembly Proceedings

Official Report

Bengal Legislative Assembly

Fourteenth Session, 1942

The 24th, 25th, 28th, 29th and 30th
September, 1942

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir JOHN ARTHUR HERBERT, G.C.I.E.

MEMBERS OF THE COUNCIL OF MINISTERS.

(1) The Hon'ble Mr. ABUL KASEM FAZLUL HUQ, in charge of the Home and Publicity Departments.

(2) The Hon'ble Dr. SYAMAPRASAD MOOKERJEE, in charge of the Finance Department.

(3) The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Department of Agriculture and Industries and of the Department of Commerce and Labour.

(4) The Hon'ble Mr. SANTOSH KUMAR BASU, in charge of the Department of Public Health and Local Self-Government.

(5) The Hon'ble Khan Bahadur M. ABDUL KARIM, in charge of the Education Department.

(6) The Hon'ble Mr. PRAMATHA NATH BANERJEE, in charge of the Revenue Department and of the Judicial and Legislative Departments.

(7) The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN, in charge of the Co-operative Credit and Rural Indebtedness Department.

(8) The Hon'ble Mr. SHAMSUDDIN AHMED, in charge of the Department of Comunications and Works

(9) The Hon'ble Mr. UPENDRA NATH BARMAN, in charge of the Forest and Excise Department.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

Vacant.

DEPUTY SPEAKER.

SYED JALALUDDIN HASHEMY, Esq.

SECRETARY

K. ALI AFZAL, Esq., Barrister-at-law.

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Fourteenth Session.)

Volume LXIII—No. 2.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 24th September, 1942, at 8-45 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 171 members.

STARRED QUESTIONS

(to which oral answers were given)

Shortage of essential commodities in Bengal.

*49. **Khan Bahadur MOHAMMED ALI:** (*a*) Is the Hon'ble Minister in charge of the Commerce and Labour Department aware of an acute shortage of the following essential commodities and foodstuffs:—

(*i*) rice,

(*ii*) kerosene oil,

(*iii*) sugar,

(*iv*) salt, and

(*v*) matches,

particularly in the metropolis of Calcutta, and generally in the districts of Bengal?

(*b*) If so, what steps have the Government taken to remove the distress caused by the shortage?

Mrs. HASINA MURSHED (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, Minister in charge of the Commerce and Labour Department): (*a*) In the case of kerosene oil, sugar and matches—Yes.

(*b*) In the case of kerosene oil more effective schemes of distribution are being worked out in consultation with the trade. In the case of sugar attempts are being made to overcome difficulties of transport which are the cause of shortage. The match position cannot be said to be causing distress, but the Department has been in close touch with the trade to help remove difficulties of supply and distribution.

Mr. MIRZA ABDUL HAFIZ: Will the Parliamentary Secretary be pleased to state what are the effective schemes for distribution of kerosene oil that are being worked out?

Mrs. HASINA MURSHED: In this connection I may, with the permission of the House, explain the position regarding the supplies of essential commodities briefly. The position is this: With regard to rice, there is an impression, though not well founded, that there is a shortage of rice. As a result, the controlled prices could not be maintained. Facilities, however, for moving all varieties of rice by arranging priority of wagons are being freely given. Coarse and medium rice are being supplied by Government to 64 selected shops in Calcutta and these shops are selling nearly 2,500 maunds of Government rice per day This has considerably relieved the situation.

With regard to kerosene oil, its supply has been reduced by 50 per cent., owing to the present war situation. On the other hand, the usual consumption in connection with the essential public institutions and offices, such as Government Treasuries and A. R. P., etc., has to be maintained. The public are therefore getting less than 50 per cent. of their normal supply. With a view to meeting the situation, a scheme has been brought into operation by which an approved list of agents and sub-agents is maintained by the district officers and by the Director of Civil Supplies. Quotas are fixed for each of the agents and sub-agents. Returns are submitted every month in respect of the sale. Supplies to the consumers are rationed, and dishonest dealers are black-listed.

With regard to sugar, its supply has unfortunately suffered as a result of sabotage in North Bihar in which the mills allotted to Bengal by the Government of India are situated. Government have arranged for 2,800 tons of sugar. Arrangements are being made for priority of wagons. After consulting the trade representatives, orders have recently been issued for the distribution of 50 per cent. of imported sugar and 50 per cent. of sugar in the Bengal mills through agencies to be approved by local Controllers of Civil Supplies, but no supplies will be made to the individual consumer. It is hoped that these measures will ease the situation.

With regard to salt, the stock in Calcutta is nearly adequate for two months for Bengal and Assam.

Khan Bahadur MOHAMMED ALI: Will the Parliamentary Secretary please state if she is aware of the fact that by the removal of control on sugar, a huge quantity of sugar has gone underground with the result that the prices of sugar are now ranging between annas 12 and Re. 1?

Mrs. HASINA MURSHED: That is a fact, but at the present moment Government consider it inexpedient to interfere in this matter.

Khan Bahadur Maulvi AULAD HOSSAIN KHAN: Sir, may we presume from the answer of the Parliamentary Secretary that there is sufficient quantity of rice for the whole Province of Bengal?

Mrs. HASINA MURSHED: In the opinion of Government it is so.

Khan Bahadur MOHAMMED ALI: Will the Parliamentary Secretary be pleased to state the reasons for which Government withdrew the control order in respect of sugar?

Mrs. HASINA MURSHED: There is no control over sugar. It is being sold at controlled price.

Khan Bahadur MOHAMMED ALI: Sir, my question has not been answered I wanted to know why the control on sugar has been withdrawn.

Mr. DEPUTY SPEAKER: She has said that control has not been withdrawn. Is that the answer?

Mrs. HASINA MURSHED: Prices have been controlled.

Mr. SYED ABDUL MAJID: Sir, the question which my honourable friend Khan Bahadur Mohammed Ali put was whether there was sufficient stock at present in Calcutta?

Mrs. HASINA MURSHED: There is not sufficient stock of sugar at the present moment. Arrangements are being made by Government for making the supply adequate. In this connection may I say something about profiteering in sugar? Even if it is true that profiteering is being carried on to a certain extent in respect of the price of sugar, if Government take penal measures at the present moment, it will have the effect of driving the present supply underground with the result that there will be total want of sugar. Arrangements have, however, been made by Government for the supply of sugar not only from the mills in Bengal but, with the permission of the Government of India, from South Bihar. As soon as transport arrangements have been made ready, we shall have an adequate supply of sugar. It will then be possible to take adequate measures against profiteering.

Khan Bahadur MOHAMMED ALI: Mr. Deputy Speaker, Sir, the Parliamentary Secretary read out a statement in which she has explained the present position. As it has not been heard by the members, I would request her to repeat the statement.

Mr. DEPUTY SPEAKER: If she reads out the statement again, I hope that will satisfy the members.

Mrs. HASINA MURSHED: Sir, with regard to rice, there is an impression though not well founded that there is a shortage and as a result the controlled prices could not be maintained. Facilities, however, for moving all varieties of rice by arranging priority of wagons are being freely given. Coarse and medium rice are being supplied by Government to 64 selected shops in Calcutta and these shops are selling nearly 2,500 maunds of Government rice per day. This has considerably relieved the situation as regards rice.

With regard to kerosene oil, the supply of kerosene oil has been reduced by 50 per cent. owing to the present war situation. On the other hand, the usual consumption in connection with the essential public institutions and offices, such as Government treasuries and A.R.P., etc., has to be maintained. The public are therefore getting less than 50 per cent. of their normal supplies. With a view to meeting the situation, a scheme has been brought into operation by which an approved list of agents and sub-agents is maintained by the district officers and by the Director of Civil Supplies. Quotas are fixed for each of the agents and sub-agents and returns are submitted every month in respect of the sale. Supplies to the consumers are rationed. Dishonest dealers are black-listed.

With regard to sugar, its supply has unfortunately fallen as a result of sabotage in North Bihar in which the mills allotted to Bengal by the Government of India are situated. Government have arranged for 2,800 tons of sugar and arrangements are being made for the priority of wagons. After consulting the trade representatives orders have recently been issued for the distribution of 50 per cent. of imported sugar and 50 per cent. of sugar in the Bengal mills through agencies to be approved by the local Controller of Civil Supplies, but no supplies will be made to individual consumers. It is hoped that these measures will ease the situation.

As regards salt, the stock in Calcutta is nearly adequate for two months for Bengal and Assam.

Khan Bahadur Maulvi AULAD HOSSAIN KHAN: Is the Parliamentary Secretary aware that there is a panic throughout the Province for the shortage of rice?

Mrs. HASINA MURSHED: I am not aware of it.

Mr. ABDULLA-AL MAHMOOD: Is the Parliamentary Secretary aware that on account of the acute shortage of rice and paddy in Serajganj, the Subdivisional Officer, Serajganj, approached the Government through the District Magistrate, Pabna, for opening a centre of paddy and rice at Serajganj?

Mrs. HASINA MURSHED: I am not aware of it.

Mr. SYED ABDUL MAJID: Will the Parliamentary Secretary be pleased to state if she is aware that owing to the withdrawal of the control over sugar, its price has gone so high that the poor Muslims cannot afford to buy sugar in the month of Ramzan?

Mrs. HASINA MURSHED: I have already explained the position.

Maulvi MUHAMMAD ISRAIL: Will the Parliamentary Secretary be pleased to state whether Government have made any arrangements, as they have made in Calcutta by opening 64 shops, for distribution of rice in the mufassal areas where there is shortage of rice?

Mrs. HASINA MURSHED: As far as possible, arrangements have been made for removing the shortage of rice in all parts of Bengal.

Maulvi MUHAMMAD ISRAIL: Sir, my question has not been answered. My question is——

Mr. I. A. CLARK: Will the Parliamentary Secretary kindly enlighten us regarding the 2,800 tons of sugar? Are they coming into Calcutta or are they for consumption in the Province as a whole?

Mrs. HASINA MURSHED: This sugar will be available for the whole Province.

Mr. I. A. CLARK: How long will it last? (Laughter.)

(No reply.)

Maulvi MUHAMMAD ISRAIL: Is the Parliamentary Secretary aware that in view of the holy *Ramzan* the consumption of kerosene oil is much more necessary than in any other month, and in view of that fact will she be pleased to state whether Government have made any arrangement for supplying more kerosene oil to the Muslims at least for the month of this holy *Ramzan*?

Mrs. HASINA MURSHED: I have already said that Government are making all arrangements that are possible for removing the shortage.

Khan Bahadur MOHAMMED ALI: Sir, the Parliamentary Secretary mentioned in her statement in reply to a supplementary question that Government have arranged for the priority of wagons. Will she be pleased to state if there is any Committee for the award of the priority and if the priority is being arranged only for the metropolis of Calcutta or it is being done on a systematic basis for the whole of the Province?

Mrs. HASINA MURSHED: I am not aware.

Khan Bahadur MOHAMMED ALI: Sir, my question has not been answered. I wanted to know whether the priority is being arranged for bringing in wagons of supplies to Calcutta or it is being arranged on a systematic basis for the whole of Bengal.

Mrs. HASINA MURSHED: For the whole of Bengal.

Mr. MIRZA ABDUL HAFIZ: Is the Parliamentary Secretary aware that the District Magistrate of Mymensingh repeatedly pressed the Deputy Commissioner of Kamrup and Goalpara for allowing rice and paddy to the district of Mymensingh?

Mrs. HASINA MURSHED: I am not aware of this.

Maulvi AHMED ALI MRIDHA: Is the Parliamentary Secretary aware that in the subdivision of Goalundo there has been a failure of *aus* crop on account of drought and that in the mufassal areas rice is not available for purchase at all?

Mrs. HASINA MURSHED: I am not aware of it.

Mr. MIRZA ABDUL HAFIZ: Will the Parliamentary Secretary be pleased to state if the Government is considering the desirability of making a communication with the Government of Assam to withdraw the restriction on rice and paddy?

Mrs. HASINA MURSHED: This is a matter for consideration.

(Mr. Deputy Speaker called the next question.)

Khan Bahadur MOHAMMED ALI: Sir, it is a very important question.

Mr. DEPUTY SPEAKER: You agreed that after the statement was read, you would not put any supplementary questions.

(Cries of "No, no.")

Mr. DEPUTY SPEAKER: All right, I will allow one more question.

Khan Bahadur MOHAMMED ALI: The Parliamentary Secretary said that 2,800 tons of sugar have been arranged for supply in Calcutta and in reply to a supplementary question put by the European Group she said that it was meant for the whole Province. We want to know from the Parliamentary Secretary how long this 2,800 tons of sugar will last and whether arrangements have been made to ensure further supply?

Mrs. HASINA MURSHED: Further arrangements will again be made when that supply will be exhausted.

Personal Assistant to the Inspector-General of Prisons.

*50. **Khan Bahadur FAZLUL QADIR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) who is the present Personal Assistant to the Inspector-General of Prisons;

(*ii*) how long he has been holding this post as Personal Assistant;

(*iii*) what post he held before his appointment;

(*iv*) when he is due to retire;

(*v*) whether any extension has been granted to him; if so, on what ground;

(*vi*) whether the Government contemplate granting him any further extension;

(*vii*) whether any Muslim had ever been permanently appointed to this post since its creation, and

(*viii*) whether the Government are considering the desirability of appointing any Muslim to this post?

(*b*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing—

(*i*) the present number of gazetted officers in the Jail Department; and

(*ii*) the number of them that are Muslim?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) Maulvi Ali Hafez, B.A. Permanent Personal Assistant. Rai Jnanendra Chandra Guha Bahadur has gone on leave preparatory to retirement.

(*ii*) Rai J. C. Guha Bahadur has been holding the post since the 3rd July, 1920.

(*iii*) He held the post of Travelling Auditor in the office of the Inspector-General of Prisons.

(*iv*) He was due to retire on the 16th September, 1941.

(*v*) He has been granted extensions for difficulty in selecting his successor.

(*vi*) Does not arise.

(*vii*) and (*viii*) The honourable member is referred to answer (*a*) (*i*) above.

(*b*) (*i*) 46 and (*ii*) 11.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*v*), will the Hon'ble Minister be pleased to state what was the practical or other difficulty that Government experienced in selecting a successor to Rai J. C. Guha Bahadur?

The Hon'ble Mr. A. K. FAZLUL HUQ: Some difficulty in selecting a successor was felt by my predecessor, Sir Nazimuddin, and I got over the difficulty by appointing Maulvi Ali Hafez.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether an attempt was made for the selection of a successor to Rai J. C. Guha Bahadur when they had sufficient time at their disposal before his retirement?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir Nazimuddin may clarify the position. I dare say that he was averse to find a suitable candidate.

Mr. MIRZA ABDUL HAFIZ: With reference to answer (*b*), where it is stated that out of 46 gazetted officers in the Jail Department 11 are Muslims, will the Hon'ble Minister be pleased to state whether Government consider the desirability of redressing the grievances of the Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes. I understand the necessity, and we are doing our best in the matter.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state who was the authority to appoint the Personal Assistant—the Hon'ble Minister in charge or the Inspector-General of Prisons?

The Hon'ble Mr. A. K. FAZLUL HUQ: Well, Sir, the Inspector-General of Prisons. But in this case the Inspector-General of Prisons suggested somebody other than Maulvi Ali Hafez. I selected Maulvi Ali Hafez. There being difference of opinion between us, the matter went up to the Public Service Commission and they recommended somebody else. I again pressed the case of Maulvi Ali Hafez who seemed to me to be the best candidate. On the recommendation of the Public Service Commission I appointed Maulvi Ali Hafez.

Mr. ABUL HOSSAIN AHMED: With reference to answer (*vi*) where it is stated "does not arise," will the Hon'ble Minister be pleased to state how it does not arise?

Mr. DEPUTY SPEAKER: Please put a separate question if you want.

(No question was put.)

Off-day for Jail Warders.

***51. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact—

(*i*) that Indian Jail Warders do not get an off-day in a week; and

(*ii*) that the European Warders get it?

(b) If the reply to (a) is in the affirmative, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (a) (i) Yes.

(ii) No.

(b) Financial stringency due to the war stood in the way of the concession being granted.

Mr. ATUL CHANDRA SEN: With reference to answer (b), will the Hon'ble Minister be pleased to state whether financial stringency due to the war has stood in the way of fat salaries being given to the Inspector-General of Prisons and the Jail Superintendents?

The Hon'ble Mr. A. K. FAZLUL HUQ: Apparently it has not. They are getting their salaries in spite of the war.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether it is a fact that the jail warders are the most hard-worked people in the public services?

The Hon'ble Mr. A. K. FAZLUL HUQ: I entirely agree, and it would be a strong claim on their part to get an off-day leave. We will make an attempt to give them such leave.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether it is a fact that for want of proper rest the efficiency of the work suffers?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is a matter of opinion. Apparently that is so.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Treatment of security prisoner Sj. Satish Chandra Chakravarty.

27. **Mr. PRATUL CHANDRA GANGULI:** (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(i) the present condition of health of the security prisoner Sreejut Satish Chandra Chakravarty; and

(ii) whether the aforesaid security prisoner was examined by the—

(1) Civil Surgeon of Midnapore, and

(2) Medical Officer of the Hijli Special Jail?

(b) If the answer to (a) (ii) is in the affirmative, will the Hon'ble Minister be pleased to state the result thereof?

(c) Will the Hon'ble Minister be pleased to state how long Sreejut Satish Chandra Chakravarty is suffering from ailments?

(d) Is it a fact—

(i) that he is confined to bed; and

(ii) that paralysis is fast developing in his left side?

(e) Will the Hon'ble Minister be pleased to state whether he has applied to the Government—

(i) for his transfer to a better climate; and

(ii) for Kaviraji treatment?

(f) If so, what action have the Government taken on his petition?

The Hon'ble Mr. A. K. FAZLUL HUQ: (a) (i) He was feeling heaviness in the left lower limb and getting volitional tremor in the left upper extremity. He has considerably improved under the treatment of Kaviraj Nalini Ranjan Sen, Principal, Astanga Ayurved College, and can now expect complete recovery.

(ii) Yes.

(b) His case has been diagnosed as one of disseminate Sclerosis and Varicose veins of the left leg.

(c) He has been suffering for a long time past. The exact date of commencement of the ailments is not known.

(d) (i) No. He can move about with the help of a stick.

(ii) No.

(e) He has applied for transfer to Calcutta for electric treatment or somewhere else for Kaviraji treatment.

(f) He has been granted long leave for undergoing Ayurvedic treatment and that still continues.

Mr. SURENDRA NATH BISWAS: With reference to answer (f), will the Hon'ble Minister be pleased to state whether the security prisoner is now outside the jail?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware. I want notice.

Price control policy.

23. Dr. ABDUL MOTALEB MALIK: (a) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state whether any Advisory Committee for controlling the prices of commodities has been formed?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state the number of meetings held since its formation?

Mrs. HASINA MURSHED: (a) Yes.

(b) Eight.

Khan Bahadur MOHAMMED ALI: Will the Parliamentary Secretary be pleased to state the names and functions of the Advisory Committee appointed for the purpose of controlling price of commodities?

Mrs. HASINA MURSHED: I am in a position to give the names of the persons forming the Committee. They are as follows:—

(1) Captain N. N. Dutt, M.B.
(2) Mr. H. D. Townend.
(3) Mr. D. P. Khaitan.
(4) Mr. E. S. Abdul Kader.
(5) Mr. Ananda Mohan Podder.
(6) Dr. L. E. Napier.
(7) Mr. A. R. Malik.
(8) Mr. Abdur Rahman Siddiqi, M.L.A.
(9) Professor P. C. Mohalanabis.
(10) Dr. Harendra Lal De.
(11) Mr. Mohammed Mohsin Khan.
(12) Mr. A. R. Elliot Lockhart.
(13) Khan Bahadur M. A. Momen, C.I.E.
(14) Babu Mukunda Lal Cheripal.
(15) Mr. K. A. Hamilton, M.L.A.
(16) Mr. Ramnath Bhagaria.

Mr. MIRZA ABDUL HAFIZ: Will the Parliamentary Secretary be pleased to state whether they have been able to do any satisfactory work worth the name?

Mrs. HASINA MURSHED: That is a matter of opinion.

Rai Sahib ANUKUL CHANDRA DAS: Will the Parliamentary Secretary be pleased to state why no Scheduled Caste member has been taken in the said Committee?

Mrs. HASINA MURSHED: I am not in a position to give that information. If notice is given, information may be made available.

Rai Sahib ANUKUL CHANDRA DAS: Will the Parliamentary Secretary be pleased to state whether Government is considering the desirability of a Scheduled Caste member being taken on the Committee at once?

Mrs. HASINA MURSHED: It is for the Hon'ble Minister concerned to consider the desirability of including a member from the Scheduled Caste.

Mr. ABDULLA-AL MAHMOOD: Will the Parliamentary Secretary be pleased to state what are the duties and functions of this Advisory Committee?

Mrs. HASINA MURSHED: Obviously the duty of this Committee is to tender expert advice.

Maulvi AHMED ALI MRIDHA: Will the Parliamentary Secretary be pleased to state whether any machinery has been set up in Bengal with a view to tackling the problem of supplying commodities?

Mrs. HASINA MURSHED: Yes.

Dr. ABDUL MOTALEB MALIK: Will the Parliamentary Secretary be pleased to state whether the recommendations of the Advisory Committee are mandatory to Government?

Mrs. HASINA MURSHED: Will the honourable member please repeat his question?

Dr. ABDUL MOTALEB MALIK: Will the Parliamentary Secretary be pleased to state what is the latest recommendation of this Advisory Committee?

Mrs. HASINA MURSHED: The recommendations of the Board are embodied in the proceedings of the Committee. These recommendations have been acted upon by the department in fixing and revising prices of various commodities and in issuing instructions to the District Officers and in general in formulating schemes of policy.

Mr. ABDULLA-AL MAHMOOD: On a point of order, Sir. I put a question to the Parliamentary Secretary asking her to state the specific duties and functions of the Advisory Committee, and the answer was—"To tender advice." But, Sir, I want to know to whom to tender advice—to the Government, or to the merchant, or the dealer, to the public or——

Mr. DEPUTY SPEAKER: I am afraid that is no point of order.

Mr. SYED ABDUL MAJID: Will the Parliamentary Secretary be pleased to state if there was any meeting of the precious Advisory Committee held?

Mrs. HASHINA MURSHED: Yes, there were eight meetings held.

Maulvi ABDUL LATIF BISWAS: Who are the members of this Advisory Committee?

Mrs. HASHINA MURSHED: I have already answered that question.

GOVERNMENT BILL.

The Bengal (Rural) Primary Education (Amendment) Bill, 1941.

The motion of the Hon'ble Khan Bahadur M. Abdul Karim that the Bengal (Rural) Primary Education (Amendment) Bill, 1941, be taken into consideration, was put and a division called.

(While the Division bell was ringing, Mr. Shahabuddin raised the following point of order.)

Mr. K. SHAHABUDDIN: On a point of order, Sir. I submit that the Hon'ble Minister for Education never moved his motion for consideration of the Bill on which we are now going to record our votes.

Mr. DEPUTY SPEAKER: Yes, he did. After he had moved the motion for the introduction of the Bill, he moved also the motion for its consideration after which Mr. Shahabuddin moved his motion for reference to Select Committee.

Mr. K. SHAHABUDDIN: I am sorry, Sir.

AYES—74.

Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Anwarul Azim, Khan Bahadur Md.
Azimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Dutta Gupta, Miss Mira.
Fazlul Haq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Gladding, Mr. D., C.I.E.
Golam Rabbani Ahammad, Maulvi.
Griffiths, Mr. G.
Gurung, Mr. Dumber Singh.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Morshed, Mrs., M.B.E.
Hogwood, Mr. Rogers.
Hendry, Mr. David.
Hodge, Mr. H. R.
Idris Ahmed Mia, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemprova.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Haq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Mukerjea, Mr. Tarakanth, M. B. E.
Musharruf Hossain, Nawab, Khan Bahadur.
Pramanik, Mr. Tarinicharan.
Powell, Mr. J. A.
Raikut, Mr. Prasanna Deb.
Ramiruddin Ahmad, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Singha, Babu Kshitra Nath.
Sirdar, Babu Litta Manda.
Stark, Mr. A. F.
Tofel Ahmed Choudhury, Maulvi Haji.
Wahiur Rahman, Maulvi.
Walker, Mr. J. R.
Yousuf Ahmed.
Zaman, Mr. A. M. A.

NOES—36.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikramperi, Maulvi Md.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Mohaiob Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdus Shaheed, Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Masud, Kazi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Asiad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlur Rahman, Mr. (Dacca).
Hafizuddin Choudhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Manirudin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Salim, Mr. S.-A.
Serajul Islam, Mr.
Shahabudin, Mr. Khwaja, C.S.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

The Ayes being 74 and the Noes 36, the motion was carried.

Point of Privilege.

Mr. K. SHAHABUDDIN: On a point of privilege, Sir. I am very sorry I was slightly late and therefore immediately after question hour I could not raise this question of privilege. Sir, it is a very important point, and I am certain that there is no one more anxious than yourself to protect the rights and privileges of the members, and I crave your indulgence to allow me to submit it before you and the House as also to allow other members to place their points of view on this question. We submit, Sir, it is a serious breach of the privilege of the members and this matter has got to be considered and your ruling should be given on the point.

Sir, yesterday the Hon'ble the Leader of the Opposition placed before the House a document which was purported to have been printed in the Government Press at Government expense and signed by the Chief Minister of the Province and the title of the pamphlet——

Mr. DEPUTY SPEAKER: That I have seen. What is your point?

Mr. K. SHAHABUDDIN: As I said it is a very important point of privilege, and I hope you will give me time to place it before you. I submit, Sir, it is a very serious breach of the privilege of the members.

Mr. DEPUTY SPEAKER: Let me understand your point. Where is the breach of the privilege?

Mr. K. SHAHABUDDIN: Unless and until I describe the document how can I make my point clear?

Mr. DEPUTY SPEAKER: That I cannot allow you to do.

Mr. K. SHAHABUDDIN: I am describing as to what is the document. Unless I do so——

Mr. DEPUTY SPEAKER: Mr. Shahabuddin, if you have got anything to say, I think you will be better advised to see me in my chamber. I cannot allow you to make a speech on that subject. The matter was discussed in the House yesterday, and I gave my ruling on the point. If you tell me straightaway what is the breach of the privilege of the members of the House I can decide it here and now, but you are now reading the document which I cannot allow you to do.

Mr. K. SHAHABUDDIN: Sir, with due deference to you, I submit that I was not referring to the document. What I was telling, Sir, when I was stopped was that a document which has been prepared at Government expense, signed by the Chief Minister and dealing with a subject which was coming up before the House was circulated to a certain section of the members and not circulated to all the members. In this connection I may point out, as was said yesterday, that the Hon'ble Chief Minister was seen coming with a bundle of these in his hand and distributing to the member of the House. There has been a precedent, and it was pointed out some time ago by the members of the then Opposition that it was a breach of privilege committed by the former Government in bringing official documents in the House and then circulating them to one section of the House and not to all and thereby depriving them of the documents. That is my point.

Mr. DEPUTY SPEAKER: Mr. Shahabuddin, the procedure and practice of the House is this. If any point of privilege is to be raised, it should be raised just after the question hour. You have not done that. I will give you this privilege that tomorrow just after question hour you raise this point, and I will give my ruling tomorrow.

The Bengal (Rural) Primary Education (Amendment) Bill, 1941.

Clause 1.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that in clause 1, in line 2, for the figure "1941" the figure "1942" be substituted.

The motion was then put and agreed to.

The question that clause 1 as amended stand part of the Bill was then put and agreed to.

Clause 2.

Mr. DEPUTY SPEAKER: Mr. Israil, motions Nos. 9 and 10 and 11-13 are identical motions.

Maulvi MUHAMMAD ISRAIL: No, Sir, there is some slight difference. Nos. 9 and 10 contemplate that the entire sub-clause 2 (*1*) be omitted. In this sub-clause there are two things—one is that in place of five members Government want to substitute seven; another is that "of whom two shall

be women." These are the two amendments contemplated by 2(*1*) (*a*) and 2(*1*) (*b*). Now, so far as motions Nos. 9 and 10 are concerned, they contemplate the deletion of the entire clause, and so far as Nos. 11-13 are concerned they contemplate the deletion of clause 2 (*1*) (*a*) only.

Mr. DEPUTY SPEAKER: Yes, I follow. Mr. Hafiz, you move your motion.

Maulvi MUHAMMAD ISRAIL: Sir, there will be difficulty at the time of voting——

Mr. DEPUTY SPEAKER: I will put it separately at the time of voting.

Mr. MIRZA ABDUL HAFIZ: Sir, I beg to move that clause 2 (*1*) be omitted.

Sir, in the original Act there was a provision of sixteen members altogether of the Primary Education Committee, of whom five were nominated, but by the present amendment the number of members is sought to be increased to eighteen of whom seven will be nominated. The addition of two members both of whom will be women, is sought to be justified in the interest of education. One of them will be a Caste Hindu and the other will be a Muslim. In that case, I beg to submit, Sir, that the grievance of the Scheduled Castes will remain, because they cannot get any chance in this Committee.

Secondly, Sir, two more seats are to be increased by nomination. Now, Sir, the party now supporting the Government who formerly occupied the Opposition benches consisting of members of the Forward Bloc and the Krishak-Proja Party vehemently opposed the principle of nomination at that time. At present as they are supporting the Government they have taken quite the opposite view and that is very strange indeed.

Then, Sir, in the original Act there was no provision of the Chairman to be appointed by the Government as well as the Secretary of the Central Primary Education Committee, but now by the present amendment it is being done otherwise. In the original Act it was within the power of the Committee who could have elected their Chairman as well as the Secretary, but now by the present amendment Government is going to appoint the Chairman as well as the Secretary of the Primary Education Commiteee thereby curtailing the power of the members of the Committee. This will have the effect of changing the principle of the Primary Education Act.

On these grounds, Sir, I move this motion and commend it for the acceptance of the House.

Maulvi MUHAMMAD ISRAIL: Sir, I beg to move that clause 2 (*1*) (*a*) be omitted.

Sir, if we refer to the Council Proceedings of 1930 when the Primary Education Act was passed, we shall find that the following motion was called

but not moved. When this Bill was taken up, the Caste Hindus took up an attitude that they would not allow the motion to be carried. So, it was put in spite of their objection and they then staged a walkout. This is the observation of the President: "The House will remember that when I first placed before it the motion of Mr. Sarat Kumar Roy regarding reference of the Bill to a Select Committee, I gave honourable members to understand that I would divide the motion into two parts while putting it to vote. In the first part lies the principle of the motion, viz., whether or not the Bill should be referred to a Select Committee. I shall put the first part first. If that is accepted, then and then only I shall put the second part, containing the names of those who will form the Select Committee, together with such other motions, bearing other names, as are in order. Therefore, the question before the House is that the Bengal (Rural) Primary Education Bill, 1930, be referred to a Select Committee." The motion was put and lost and here all elected Hindu members present with some exceptions left the Chamber. This was the position of the Bill when it was passed in 1930. During that time one of our ex-Ministers, Sir Bijoy Prasad Singh Roy, moved the following amendment: "That for clause 4 the following shall be substituted, namely:—

The Commitee shall consist of twenty-seven members, namely,—

(*a*) The Chairman.

(*b*) The Director of Public Instruction (*ex-officio*).

(*c*) Ten members, of whom two shall be elected in the prescribed manner from each of the five Divisions of the Province by the members of the Committee, comprised within each Division.

(*d*) Two members to be elected by the two Universities of the Province, one for each.

(*e*) Four members to be elected by the elected members of the Bengal Legislative Council from among themselves.

(*f*) Two members to be elected by Head Masters of High English Schools and Senior Madrassahs under the new scheme in the prescribed manner.

(*g*) Three members to be appointed by the Local Government.

(*h*) Four members to be co-opted in the prescribed manner by the persons elected or appointed under the provisions of clauses (*c*) to (*g*) immediately after their election or appointment, as the case may be."

Mr. Deputy Speaker, here if you refer, you will find that the Bill as contemplated now is an entirely anti-election Bill. If that proposal was accepted and if the Hindu members had not staged a walkout, we would have seen that the Central Board would have been entirely on an elective basis. But unfortunately as the Caste Hindu members had staged a walkout, that Bill could not be passed in that manner.

Sir, if you refer to page 775 of the Bengal Legislative Council Proceedings, 1930, you will find that Maulvi Abul Kasem moved the following amendment:—

"Sir, I beg to move that in clause 4 (*1*) (*c*), line 1, for the word 'five' the word 'eight' be substituted,"

You will be surprised to hear what Mr. A. J. Dash, who was in charge of the Bill, now Chairman of the Public Service Commission, said on that occasion. He made the following observations:—

"I beg to oppose the motion. The composition of the Central Committee was determined in the first Select Committee and Government considered it undersirable to increase the number of members to be appointed by the Local Government. 'Five' is considered to be ample for the purpose."

Even an official, an I.C.S., whom our Opposition members, particularly the Krishak-Proja Party and also the party led by Mr. Sarat Chandra Bose, call bureaucractic and reactionary in respect of ideas, as far back as 1930 opposed the increase of nomination. The proposal of Mr. Abul Kasem was to increase the nominated members from five to eight. That was opposed by Mr. A. J. Dash. Then Haji Badi Ahmed Chowdhury wanted to increase the number from five to six. That was also opposed by Mr. Dash. The same thing was repeated by Rev. B. A. Nag. He also proposed that for the word "five" the word "six" be substituted and in line 2 after the words "of whom" the words "one shall be representative of the Indian Christian community" be inserted. You will be surprised to hear the reply of Mr. Dash. He said:—

"I beg to oppose this amendment. As I stated before, Government are opposed to increasing the number of nominated members, and it will be seen that the requirements of the Indian Christian community can be met under the clause as it is worded—'three shall be persons possessing experience in educational matters.' There can be no doubt that representatives from the Indian Christian community can be found who are qualified under this sub-clause."

Sir, I want you and the House to note what Mr. Dash said on that occasion—"Government are opposed to increasing the number of nominated members." Mr. Dash, the then Secretary, who was in charge of the Bill, opposed the amendment and said that, "Government are opposed to increasing the number of nominated members." That was in the year 1930. Now as late as 1942, members opposite who call themselves progressive are saying that they must have seven nominated members. One leader of the Krishak Proja Party who had adorned the Treasury Benches walked out of the Cabinet only on the ground that the Government did not agree to the abolition of nomination then and there. Now, Sir, Mr. Dash further observed—

"If necessary, Government are prepared to accept the amendment of Maulvi Tamizuddin Khan in a modified form and to remove the restriction contained in the last words of the sub-clause, viz., 'and there shall be persons possessing experience in educational matters.' That will give an

absolutely free hand to the Local Government to nominate whomsoever they like, without actually specifying that the Indian Christian community shall have one representative on this body. For this reason I oppose the amendment."

Then there was another amendment moved by Maulvi Tamizuddin Khan, and another by Mr. Mukunda Behary Mullick.

The motion of Maulvi Tamizuddin Khan was that in clause 4 (*1*) (*c*), line 4, the words "three shall be persons possessing experience in educational matters" shall be omitted was lost. Mr. Mulick moved the following amendment:—

"I beg to move that in clause 4(*1*) (*c*), line 2, after the words 'representatives of' the words 'and belonging to' be inserted."

The Government did not accept the amendment because Government was opposed to increase the nomination.

Sir, I could multiply instances where different members wanted to increase the quota of nomination, but Government were always opposed to increasing the number of nominated members. That was during the time of diarchy which was scotched, killed and buried. The bureaucratic Government were opposed to increasing the nomination. But now this Government which is supported by the so-called Progressive Coalition Party comes forward with a Bill which is reactionary—more reactionary than even what a bureaucratic régimé would conceive. I wonder how with progressive ideas they could conceive of such a Bill! I beg to point out that recently the Government had amended the Local Self-Government Act. The Act provided that there should be no direct election so far as district boards were concerned. That Act has lately been amended and Government have given the public the right to send their representatives directly by vote and not through local boards. In the Bengal (Rural) Primary Education Act, 1930, we find section 4 (*b*) provides:—

"ten members of whom two shall be elected in the prescribed manner from each of the five divisions of the province by the members of the district school boards of each division, one to be a Muhammadan and the other a Hindu."

This is indirect election so far as the Central Board is concerned. Here we are discussing the constitution of the Central Advisory Committee which will frame the rules for the whole Province so far as primary education is concerned. We also find that the previous Act also does not provide for any direct election so as to give the general public a hand to have their say so far as the constitution of the Central Board is concerned. What we expected was that when an amendment of this Act was brought forward the Progressive Coalition would come forward to abolish the indirect election and throw the election open to the general public so that they might have a say

in the selection of their representatives who would constitute the Central Advisory Board for the whole Province. But what do we find? Instead of removing the indirect election, they are trying to strengthen their own position throughout the whole Province. What they are doing is that they are putting in more nominated members. They cannot face the country because if there be election they will find that even in the Central Advisory Board they will have no men whom they can call their own. So, though they are progressive in outlook, though they are progressive to the public, yet in action they are trying to strengthen their position for their own purpose! What they are doing is, they are putting forward amendments for more and more men to be appointed by the local Government. Instead of being satisfied with five nominated members, Government want to have seven nominated members because they think that even with five members it will not be possible for them to have sufficient voice in the Central Advisory Board. You will find that in the previous amendment also. I will come to that presently. In the present Act, there is no provision that the Director of Public Instruction should be *ex-officio* President or that the Secretary of the Central Committee should be appointed by Government. But here also the Government have failed to come up to expectation. They are putting in a President as an *ex-officio* official and not satisfied with that they are making the Secretary of the Board to be a member appointed by the local Government. Sir, herein they are trying to put in two women as well. During the time when we discussed on the motion for circulation I said that if the Government were willing to give female representation on the Central Committee I urged that let the Government have as many women on the Committee as possible, but my point was that these women should come by means of election and not by the back door of nomination. The Opposition have always said that they dislike the system of nomination. I ask, why has the Government Party which styles itself as progressive come forward with this proposal? If they are enamoured of women, I have no objection, but let them give them the right of coming by election. Now, Sir, so far as women are concerned the women of Bengal will be deprived of selecting their own representatives if nomination is retained. The women of Bengal will then have no right to select their own representatives. Government will select women who will be their supporters, but who may be worse in the eye of the general public. I think women in general will not themselves be satisfied by the selection that will be made by the Government of Bengal. My proposal is, let them increase the representation of women from two to four, but let these representatives of women be elected and not allowed to come by the back door of nomination. If women can have their own representatives in the local Legislature by election, it is quite fair that they should be allowed the privilege of sending their own representatives on the Primary Education Board. I know, Sir, that women have got their own problems, and they must therefore have representatives of their own. To that we have no objection. But what we do object to is their coming by the back door of nomination and not through election. I say from the core of my heart that I like this representation of women on the Primary Education Board, but I canont at all understand why this "Progressive" Ministry is so

reluctant to give them the right of election. Probably it is due to the fact that in that case the Government will not be able to have women of their own choice on the Board.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. DEPUTY SPEAKER: I am given to understand that the Government and the Opposition want to put their heads together to find out a common formula on this Bill. Accordingly, I adjourn the House for half an hour.

(The House was adjourned at this stage for half an hour.)

(After adjournment.)

(The House reassembled at 11-14 a.m. after adjournment.)

Mr. DEPUTY SPEAKER: I am glad to announce that an agreement has been reached and that the agreed formula will be placed before the House on the next day fixed for Government business.

Adjournment.

It being 11-15 a.m., the House was adjourned till 8-45 a.m. on Friday, the 25th September, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 25th September, 1942, at 8-45 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 174 members.

STARRED QUESTIONS

(to which oral answers were given)

Supersession of the Chittagong Municipality.

*52. **Khan Bahadur MOHAMMED ALI:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that the Government have superseded the Chittagong Municipality?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) Yes.

(*b*) The question of supersession of the Commissioners of this Municipality, on account of various irregularities, especially relating to its financial administration, had in fact been raised by the local officers in December last. The state of affairs of the Municipality then appeared to Government to be very serious; but before coming to a final decision, Government asked the local officers to obtain and submit the explanation of the Municipal Commissioners on the various charges of maladministration brought against them. In the meantime the situation at Chittagong became very grave due to the course of the War in Burma. The Municipality was in a precarious financial condition and was practically bankrupt and even unable to pay its staff. After a very careful consideration of the views of the local officers and the explanation submitted by the Chairman, Government were satisfied that the Municipality would be unable to maintain its vital services in the event of a hostile attack. For these reasons, Government had no other alternative than to agree to the supersession of the Municipal Commissioners for a period of one year under rule 51F(*6*) of the Defence of India Rules.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if the finding of various irregularities in the administration of the Chittagong Municipality had anything to do with the Chairman of the Municipality going over to the Opposition with effect from December last which is mentioned in the reply?

(No reply.)

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state who was the Chairman of the Chittagong Municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: Mr. Nur Ahmed, a member of the Legislative Council.

Mr. SYED ABDUL MAJID: To what party does Mr. Nur Ahmed belong?

The Hon'ble Mr. SANTOSH KUMAR BASU: I have no official information.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state what is the maladministration that is mentioned here?

The Hon'ble Mr. SANTOSH KUMAR BASU: The question of supersession of the Chittagong Municipality was raised by the Divisional Commissioner in his letter, dated the 4th December, 1941, in which he pointed out that it would be necessary to supersede the Municipal Commissioners very soon if they refused to take steps to restore the municipal finances.

On the 19th December, 1941, the Divisional Commissioner again wrote to Government pointing out various defects in the municipal administration which required rectification and suggested that for this purpose supersession for at least two years would be necessary. On the 29th December, 1941, the Divisional Commissioner was informed that Government considered that the Municipal Commissioners should be given an opportunity of submitting their explanation and he was requested to frame definite charges and to forward these to Government with the Municipal Commissioners' explanation.

On the 26th February, 1942, the Divisional Commissioner called for the explanation of the Municipality on the following eleven charges by the 16th March, 1942:—

(1) That for the last three years there has been habitual incurring of expenditure in great excess of income.

(2) That in consequence the Municipality is practically bankrupt, and is unable to pay its staff without improper appropriation of funds earmarked for special purposes.

(3) That the municipal budgets have never been properly framed, but framed in such a way as to conceal in whole or in part, the real state of municipal finances.

(4) That section 112 of the Act is never complied with, inasmuch as a complete and accurate account of actual and expected receipts and expenditure is never prepared or lodged in the office under section 113.

(5) That for the last three years, rule 26 of the Account Rules has been systematically ignored, inasmuch as the Commissioners have not ascertained and provided for all existing liabilities which cannot be liquidated before the commencement of the year.

(6) That in consequence, the Commissioners have incurred a steadily increasing liability which they cannot possibly meet within a reasonable time. This sum amounts to over a lakh of rupees at present.

(7) That the Commissioners have by a recent resolution voted increased taxation which may fetch an additional Rs. 30,000 in the year 1942-43, but this additional sum will not prevent the occurrence of a huge deficit at the end of the year 1942-43, nor is it possible by savings in expenditure to avoid such a huge deficit.

(8) The misapplication of special funds is still going on. In particular (*i*) several thousand rupees of the special advance of Rs. 63,000 granted by Government for the emergency water-supply scheme have been applied to other purposes, including the pay of municipal sweepers; and (*ii*) several thousand rupees have been recredited to the Municipal Fund during the current year from the Provident Fund of municipal employees without proper sanction instead of investing them as required by rule.

(9) During the current year, section 114 of the Municipal Act has been contravened, as the revised budget which should have been framed soon after 1st October is not yet ready. Section 112 has also been contravened as the budget for 1942-43, which should have been framed before the end of January, has not been prepared even by the end of February.

(10) That in spite of habitually increasing expenditure greatly in excess of receipts over a period of years, the needs of the rate-payers particularly as regards roads, water-supply and drainage have not been properly met.

(11) That there is no reasonable prospect of any substantial improvement in municipal finances under the present management and that the only possible method of restoring municipal finances is supersession.

The Municipal Commissioners' explanation was not received by the Divisional Commissioner up to the 24th March, 1942, when he referred the matter to Government with his recommendation for supersession.

On the 17th March, 1942, the Chairman forwarded to Government an advance copy of an explanation drafted by him (which had not then been approved by the Municipal Commissioners at a meeting) in which an attempt was made to flatly deny all the charges. In his letter of the 30th March, 1942, the Divisional Commissioner stated that the charges were true and the municipality could not function any longer.

The charges and the explanation of the Chairman were examined by Government as far as possible on the basis of the materials then available.

After due consideration Government came to the conclusion that the financial condition of the municipality was very unsatisfactory and that it would worsen and was not likely to improve. Government, therefore, held that the municipality would be unable to maintain its vital services in the event of hostile attack and they directed the District Magistrate to supersede the municipality on this ground for one year under rule 51F (*6*) of the Defence of India Rules.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what was the explanation submitted by the Chairman?

The Hon'ble Mr. SANTOSH KUMAR BASU: The explanation runs into 12 or 13 typewritten foolscap pages, but the sum total of it is that every charge was flatly denied.

Mr. ABDUR RAHMAN SIDDIQI: Will the Hon'ble Minister be pleased to state whether maladministration or bad management of finance will be accepted by Government in the case of other municipalities as the reason for taking away the rights of the municipalities.

The Hon'ble Mr. SANTOSH KUMAR BASU: Most certainly as one of the reasons.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state when this deficit began, I mean from which year?

The Hon'ble Mr. SANTOSH KUMAR BASU: About three years before 1941.

Khan Bahadur MOHAMMED ALI: Is the Hon'ble Minister aware that besides the Chittagong Municipality almost all the other municipalities in Bengal are running at a deficit?

The Hon'ble Mr. SANTOSH KUMAR BASU: I cannot agree to a general proposition of that character.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state why Government did not take any steps when they came to know of the deficit three years back?

The Hon'ble Mr. SANTOSH KUMAR BASU: I cannot be held responsible for the action of the previous Government.

Maulvi AHMED ALI MRIDHA: The position being this that the Divisional Commissioner made certain allegations by way of breach of the provisions of law whereas on the other side the chairman denied *in toto*

all the allegations, will the Hon'ble Minister be pleased to state whether Government think it wise to hold a definite enquiry into the facts of the matter?

The Hon'ble Mr. SANTOSH KUMAR BASU: The Chairman himself came and represented the case of the municipality before me.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state when there is a difference of fact, what decision do Government propose to take?

The Hon'ble Mr. SANTOSH KUMAR BASU: Government will decide on the materials before it and come to a finding on its own account.

Mr. ABDULLA-AL MAHMOOD: Is the Hon'ble Minister aware that the finances of some other municipalities—specially Pirojpur, Englishbazar and Jamalpur—are in a precarious state?

The Hon'ble Mr. SANTOSH KUMAR BASU: If any specific instance is brought to our notice, we will certainly look into it.

Mr. TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state whether Government waited for the explanation of the Commissioners of the Municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: The explanation that was submitted by the Chairman on behalf of the Commissioners of the Municipality was considered at his own instance when he came and saw me, and there was hardly any time for waiting indefinitely for the Commissioners' formal communication, because they had already exceeded the time-limit for submitting their explanation and no further delay could be allowed in view of the imminence of a hostile attack.

Mr. TAMIZUDDIN KHAN: May I know what was the last date of submitting explanation?

The Hon'ble Mr. SANTOSH KUMAR BASU: The last date was 16th March, 1942.

Mr. TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state when was action taken by Government?

The Hon'ble Mr. SANTOSH KUMAR BASU: The Chairman in his reply, dated the 23rd March, said that the charges were untrue and I think action was taken sometime in April.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state the reason for applying the Defence of India Rules instead of the provisions of the Bengal Municipal Act?

The Hon'ble Mr. SANTOSH KUMAR BASU: Under the provisions of the Bengal Municipal Act, an enquiry was proceeding and the proceedings took such an inordinately long time that no further delay could be allowed in view of the peculiar position of the town of Chittagong.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state when the proceedings were first started?

The Hon'ble Mr. SANTOSH KUMAR BASU: I have already said all that. The proceedings were started on the 4th December, 1941, prior to the fall of the last Ministry.

(Mrs. Hasina Murshed rose to read the printed answer to Starred Question No. 53.)

Mr. K. NOORUDDIN: I want to know, Sir, when the Hon'ble Minister in charge of the department will be available in this House?

Mr. DEPUTY SPEAKER: I can give that information now. The Hon'ble Nawab Bahadur wrote to me that he would come back to Calcutta either on Friday or Saturday. I can hold over this question if you like. (Cries of "Yes" from the Opposition benches.)

Starred Questions 53 and 54 were then held over.

Inter-Provincial Transport Board.

*55. **Dr. ABDUL MOTALEB MALIK:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether a Board under the name "Inter-Provincial Transport Board" has been formed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what are the functions of that Board;

(*ii*) who are the members of that Board;

(*iii*) what is the relation of this Board with the Regional Priorities Committee;

(*iv*) who has constituted these two bodies;

(*v*) whether Provincial Government was consulted; and

(*vi*) what are the powers and duties of these two bodies?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) Yes.

(*b*) (*i*) The functions of the Board are—

(1) to survey the existing facilities for transport by road, rail, or water;

(2) to consider the demands made by Government and the public for the use of transport facilities;

(3) to advise how best the existing facilities can be allocated as between the different conflicting demands; and

(4) to advise how the existing facilities for transport of various kinds could be improved and extended.

(*ii*) The Board was constituted by the Government of Bengal by Resolution No. 269C., of the 2nd February, 1942, as amended by Notification No. 2C., dated the 21st February, 1942. Copies of the Resolution and the Notification giving the list of the 17 members of the Board are laid on the Library Table.

(*iii*) The Inter-Provincial Transport Board was formed to deal with all kinds of transport and function only in advisory capacity. The Regional Priorities Committee has been appointed by the Central Government and deals with railway transport only, and as the executive authority allocates priorities for railway transport as between demands from various Government and private interests.

(*iv*) The Inter-Provincial Transport Board has been constituted by the Government of Bengal at the instance of the Central Government; the Regional Priorities Committee has been constituted directly by the Central Government.

(*v*) Yes.

(*vi*) Already indicated in the answers to (*b*) (*i*) and (*iii*) above.

Mr. ANANDI LAL PODDAR: Will the Hon'ble Minister be pleased to state whether this Board was consulted when lorries in Calcutta were forcibly acquired when they were carrying goods for war contracts?

The Hon'ble Mr. SHAMSUDDIN AHMED: I want notice.

Diet allowance of security prisoners.

***56. Babu JNANENDRA CHANDRA MAJUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware of the rise of prices of dietary commodities?

(*b*) If so, is the Hon'ble Minister considering the desirability of increasing the diet allowance of the security prisoners?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Yes.

(*b*) and (*c*) The diet allowance of security prisoners has since been increased from 9 annas 6 pies to annas 12 per head per day.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware that a large portion of this twelve annas is appropriated by the contractors who supply the dietary commodities?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of that, but I am aware of one thing and it is this: that even this 12 annas is not sufficient. The point is this that we have got a certain menu fixed and in consequence of the rise in prices the allowance has been increased from 9 annas 6 pies to 12 annas. But even by this increase of allowance to 12 annas no relief is given to the security prisoners. I will consider the question of increasing their allowance further.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the Governmet is considering the desirability of fixing remuneration of the contractors who supply the dietary commodities outside the dietary allowance granted to the prisoners?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of that point. I will make enquiries.

Mr. SURENDRA NATH BISWAS: Sir, my question is whether the Government is considering the desirability of fixing remuneration of the contractors outside the dietary allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not understand the point. If it is desirable I will look into it.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if the dietary allowance of any other class of prisoners has been increased in view of the rise in prices of dietary commodities?

The Hon'ble Mr. A. K. FAZLUL HUQ: An all-round increase is being considered.

Amendments to the Security Prisoners Rules.

***57. Babu JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether he has received any petition from the security prisoners of the Hijli Special Jail expressing their disapproval of the Revised Security Prisoners Rules?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when the said petitions were received by him; and

(*ii*) what action, if any, he has taken or contemplates to take thereon?

(*c*) Does the Hon'ble Minister contemplate further revision of the Security Prisoners Rules as demanded by the security prisoners?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) (*i*) One on the 24th July, 1941.

One on the 12th August, 1941.

One on the 5th November, 1941.

(*ii*) and (*c*) The question of allowing further amenities to security prisoners has since been examined and Government decision in the matter has been embodied in the Press communique, dated the 12th September, 1942, on the subject, a copy of which is laid on the Library Table.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell us whether all the demands of the security prisoners have been considered as yet?

The Hon'ble Mr. A. K. FAZLUL HUQ: All the points raised have not been considered and, as I have said, even the question of increase of allowance has to be reconsidered. The Government of India also have been addressed on the subject with our recommendations.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state why so much delay is being made to consider whether any increment should be given in the case of dietary allowance of ordinary prisoners while the case of security prisoners has already been considered and they have been given an increased allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member will find that petitions were being received from the 24th July, 1941. There has been delay and the responsibility for this delay has been shared between me and my predecessor.

Proposal for the change of the Bengal Junior Civil Service Rules.

*58. **Mr. ABDUR RASCHID MAHMOOD:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that the Governor has revised the Bengal Civil Service Recruitment Rules as is evident from the *Extraordinary Gazette* Notification No. 2897H., dated the 25th July, 1942?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate to make any change in the Bengal Junior Civil Service Promotion Rules?

(c) If so, is the Hon'ble Minister considering the desirability of abolishing the age-barred question?

The Hon'ble Mr. A. K. FAZLUL HUQ: (a) Notification No. 2897A., dated the 25th July, 1942, contains an *ad hoc* rule made by His Excellency the Governor under section 241 of the Government of India Act, 1935. This will remain in force only for the duration of the war, and it does not have the effect either of revising or amending the Bengal Provincial Services Recruitment Rules.

(b) and (c) Do not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether it is a fact that with regard to the recruitment even today non-Bengalis are being recruited to the Bengal Civil Service?

Mr. DEPUTY SPEAKER: How does that qestion arise?

Mr. ATUL KRISHNA GHOSE: With regard to the Recruitment Rules it does arise; I am referring to the Bengal Junior Civil Service.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware of the fact that Bengalis in other Provinces are not being recruited to similar posts?

(No answer.)

Mr. ABDUR RAHMAN SIDDIQI: Has the Hon'ble Chief Minister satisfied himself that His Excellency the Governor's *ad hoc* rule under section 241 of the Government of India Act, 1935, does not in any way lessen the proportion of Muslims in the various services to which it applies?

The Hon'ble Mr. A. K. FAZLUL HUQ: I think it does not.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister consider the desirability of looking into the interests of Bengali candidates who apply for these posts in preference to the candidates who come from outside Bengal?

Mr. H. S. SUHRAWARDY: That is the general rule.

The Hon'ble Mr. A. K. FAZLUL HUQ: So long as the rules are not materially changed these things will happen. The present rules also admit of the contingency to which the honourable member refers.

Mr. TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state if it is not a fact that when Bengali candidates are available they will have preference over non-Bengalis?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is so.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if it is not a fact that domicile is essential for any outsider being appointed to any service in this Province?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Mr. ATUL KRISHNA GHOSE: In view of the reply given by the Hon'ble Chief Minister, are we to understand that when non-Bengalis are being appointed it is only from the consideration that competent Bengali candidates are not available?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer this question which raises such a big generalisation. All I can say is that in certain services the question of domicile is absolutely imperative. In regard to the cases in which non-Bengalis are appointed it must be in certain exceptional circumstances because the rules do permit such recruitment of non-Bengalis in exceptional circumstances.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to consider the desirability of amending the rules in such a way that the claims of the Bengali applicants do not go in vain?

The Hon'ble Mr. A. K. FAZLUL HUQ: This point will certainly be borne in mind. Changes cannot be made all in a day. It must be done gradually.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Indian Jail Warders in Bengal.

29. Mr. RASIK LAL BISWAS: Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the Table a statement showing—

(i) the present number of Indian Warders in each of the jails of this Province; and

(ii) the number of them that are—

(1) Muslims,

(2) Caste Hindus, and

(3) Scheduled Castes?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*i*) and (*ii*) A statement is laid on the Library Table. The communal representation in the warder strength in each circle (Central Jail) is furnished as the Communal Ratio Rules are applicable to each circle and not to each jail, the Superintendent of the circle jail being the appointing authority.

Bengal Village Self-Government (Amendment) Bill, 1939.

30. **Mr. M. FARHAD RAZA CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether any meetings of the Select Committee of the Bengal Village Self-Government (Amendment) Bill, 1939, by Maulvi Muhammad Israil, have been called?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Is the Hon'ble Minister considering the desirability of—

(*i*) expediting the deliberations of the Committee; and

(*ii*) presenting the report before the expiry of the life of this House?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) Yes.

(*b*) Does not arise.

(*c*) It was decided to commence the sittings of the Select Committee on the 22nd September, 1942, but owing to the continuance of the Assembly Session, the date will have to be shifted by a few days more.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state when he intends to bring the Bill before the Assembly?

The Hon'ble Mr. SANTOSH KUMAR BASU: After the Select Committee has finished its labours.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state when it is likely to finish its labours?

The Hon'ble Mr. SANTOSH KUMAR BASU: That is known to the Select Committee and not to me.

Message.

The Secretary then read the following message:—

"That the Bengal Legislative Council at its meeting held on Thursday, the 17th September, 1942, considered the Message from His Excellency the Governor, under the proviso to section 75 of the Government of India Act, 1935, and agreed to the decision of the Assembly by the adoption of the amendments which were recommended by His Excellency in his Message, without any further amendments."

Point of Privilege.

Mr. H. S. SUHRAWARDY: On a point of privilege, Sir. It concerns not merely the individual members of this House, but the House itself. Is not the House entitled to have the services and the presence of the Hon'ble Minister in charge when most important non-official resolutions are being moved? The Hon'ble Minister may have or may not have done any work since he took office, but surely on this day when the House meets to comment upon his administration he should be present in this House to answer the charges levelled against him and not throw the responsibility on another Minister!

Mr. DEPUTY SPEAKER: I may tell the House that the Minister in charge wrote to me to say that on some important Government business he was proceeding to Dacca. He wrote to me also that the Hon'ble Dr. Syamaprasad Mookerjee would reply on his behalf.

Mr. ATUL KRISHNA GHOSE: May I remind Mr. Suhrawardy that when he was a Minister he was absent on several occasions when matters relating to his departments were under discussion?

(Interruptions.)

Mr. H. S. SUHRAWARDY: I am asking this as a point of privilege, as there is no more important business than the business of the House when the Assembly is sitting. I would ask you to consider whether you should not also postpone this important non-official resolution until the Hon'ble Minister having discharged his business in his home town in Dacca is able to attend the sittings of this Assembly.

Mr. DEPUTY SPEAKER: I will ask Hon'ble Ministers not to follow this practice in future, but as for this particular day he had the courtesy to inform me beforehand, and I have accepted his suggestion that Dr. Mookerjee will reply on his behalf.

Mr. H. S. SUHRAWARDY: No future occasion will arise.

Mr. ATUL KRISHNA GHOSE: Sir, I may inform the House that Mr. Suhrawardy, when he was Minister in charge of the Commerce and Labour Department, used to be absent on many occasions when important subjects relating to his departments came up before the House for discussion.

NON-OFFICIAL RESOLUTION.

Price control and supply of foodstuffs and other essential commodities.

Mr. DEPUTY SPEAKER: Order, order. The House will now resume further discussion on the first resolution. I want to know how long you will take to finish discussion.

Khwaja Sir NAZIMUDDIN: I suggest that so far as the resolution on the food problem is concerned we may allot three-quarters of an hour and the rest for jute and finish that. The jute question is very important. The food problem was discussed practically for one full day, and I submit that you agreed to prolong the discussion on this question only for a limited time to-day. That was your ruling, and I submit that three-quarters of an hour after a whole day's discussion is more than enough. The jute question may come up immediately after that and time may be allotted accordingly. If there are more members who want to speak, you may adopt the usual practice of allotting 5 minutes to each speaker. I think that three-quarters of an hour ought to be enough for the first resolution.

Mr. DEPUTY SPEAKER: My suggestion is this. One speaker from this side and another speaker from the other side will speak and after that the Hon'ble Minister will reply. My difficulty is that when members speak they sometimes forget where to stop. This particular resolution has been sufficiently discussed and I am also of opinion that one speaker from this side and another speaker from the other side will suffice.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, may I just point out that this resolution as well as the next are two very important resolutions and it is necessary that public opinion, as it prevails outside, should be reflected in this House. I do not think that we should shorten the discussion by curtailing the number of speakers. If you would accept my humble suggestion, let the speakers speak without any interruptions and let the speeches be as short as possible for five or ten minutes. By doing that we would be able to discuss both the resolutions as fairly as possible in this House. I hope the honourable the Leader of the Opposition will agree with me that it is necessary to have a full discussion on this question. Therefore I would like to submit that there should be no limit to the number of speakers but you, Sir, can limit the time of the speeches.

Mr. DEPUTY SPEAKER: As has been stated by the Leader of the House and the Leader of the Opposition, my suggestion is that each speaker will be allowed to speak for 7½ minutes and if they do not finish their arguments by that time they will not be allowed further time.

Khwaja Sir NAZIMUDDIN: Sir, the Hon'ble the Chief Minister has appealed to me. I wholeheartedly agree with him, but at the same time I feel that if he wants these things to be discussed fully, the only obvious course is to allot another day for the non-official resolutions.

Khan Bahadur MD. ANWARUL AZIM: Mr. Deputy Speaker, Sir, I had not the slightest idea of taking part in this debate until I received a long telegram from my constituency depicting in a very succinct manner the trouble that was passing in that part of the presidency. This trouble is,

Mr. Deputy Speaker, with regard to the problem of food shortage in which the people of my part of the country have been placed. Without going into the detail of what has been stated in the body of the telegram I should like to bring to the notice of this House that they are not happy unless and until Government take immediate steps to remedy the want at this stage in that troubled area. I am afraid, no Government, least of all this Government, will be able to stop the forces of destruction which might unwittingly lead to outbursts of feelings of serious consequences. It is not my purpose to follow *seriatim* what has fallen from the mouth of the honourable the mover of the resolution with regard to the controlling of price and also the issue of permits, but it should be stated to the credit of the Government, constituted as they are, that they have tried their very best to cope with the situation as far as they could. At the same time I am of opinion that this is the proper time when Government should come out with their reply and procedure and if it appears to be satisfactory it will be accepted by the House.

Now, Sir, coming to other matters concerning my constituency, I would request the Hon'ble Minister to take note of the speeches made outside this House that unless and until Government stir themselves up even at this stage and sympathetically consider the situation with regard to water transport and conveyances plying on roads and give direction to local officials at Chittagong to take necessary steps and also to consult the leaders of the people, the leaders who understand their own mind, the leaders who are in sympathy with and are in confidence of the public, I am afraid, the situation will not be eased. Unless and until that is done and the Government give up the attitude of issuing orders from the Secretariat without paying any heed to these things, I am afraid, no amount of hopes or for the matter of that no amount of consultation either here or in the Secretariat will improve the situation. Unfortunately, Chittagong is a sea-port town and the war clouds surround its horizon, where, as a consequence, certain amenities of life have already been curtailed. But, Sir, so far as the problem of food is concerned consistent with our safety and with the fact that the enemy might not have any advantage, I would like to make an humble representation to Government here to bestir themselves over again to see that things do not take yet a worse turn. The appeal I am making to Government with regard to food shortage is one which cannot be questioned either by an individual or by an association. If proper and immediate action is not taken by the Government on our appeal, the situation may go from bad to worse; and for this purpose I should like to suggest to the Government that they should see whether it is not possible for the Hon'ble Minister-in-charge or some other Hon'ble Minister to go to that locality and see for themselves what is the real state of affairs there. Unless and until that is done and effective steps are taken with regard to the control of prices and transport facilities for the supply of food articles, I am not hopeful that things will improve, specially in my district where food consumed is much in excess to what is grown. Sir, I am sure the Government is aware of the conditions prevailing there, and I hope I am also in a

position to say that in the matter of war efforts Chittagong does not lag behind any other district. I again appeal to Government to see that no householder of Chittagong dies from starvation for want of food in the district.

Mr. ABDUL WAHAB KHAN: Mr. Deputy Speaker, Sir, while agreeing with the honourable the mover of the resolution so far as the first part of the motion is concerned, I do not personally agree that all sorts of permits should be at once discontinued. We find, Sir, that permits have been discontinued so far as sugar is concerned but there has been no free flow of sugar as has been intended by the mover of the resolution. The price is determined by the law of demand and supply and the present high price is due to the reduction of supply while the demand is the same or more than before. It is apparent that the demand for essential commodities cannot be reduced to any appreciable extent by artificial measures without the consumers having had to undergo the difficulty and inconvenience of doing with the barest minimum. The problem of supply has been further complicated by a speculative demand and a tendency of hoarding in various quarters in the fear that when the war would be drawing closer towards the country, the supply would be further decreased, if not altogether stopped. In the absence of economic forces and the spirit of competition that ordinarily rule the market, prices are now being pushed to the point of profiteering according to the whims of the dealers, the demand and ability to pay higher prices, and lastly for want of efficient official control. It is true that some successful prosecutions have been launched but the lessons do not seem to have gone home to the dealers. That is probably due to the fact that big dealers take care to resort to transactions which it is very difficult to detect while only the petty shop-keepers and ordinary cultivators and growers who expose their goods to the bazar for open sale are generally brought before the court. There is a tendency to treat these people with leniency while there are reasons to believe that they are financed by their respective dealers in the event of any prosecution. Further, where there is some sort of agreement between the big dealers and petty dealers regarding supply of goods, it is well-nigh impossible to detect such offences, not to speak of launching of successful prosecution. Sir, in my district of Bakarganj some Kanungoes have been entrusted with the duty of controlling prices but the results achieved so far are far from satisfactory. These petty officers who have little or no influence with the public can be hardly expected to deal efficiently with the wily big dealers on the one hand and the poor illiterate consumers on the other hand. The executive officers—the Subdivisional Officers and the Circle Officers—are too busy with their multifarious duties, which have been increased to the breaking point due to war emergency measures, to exercise any effective check on the price control officers. Matters might improve to a great extent if the executive officers, particularly those in whose jurisdiction there are big supply centres, could be relieved of their routine duties so that they might devote time to the price control measures. It must be admitted that ineffective control is worse than no control.

As regards rice, I should say that the stock of rice in Bakarganj district is below normal, thanks to the export of huge stocks through merchants, who, it was given out, had been appointed by the Government, and it was mentioned the other day that Messrs. Ispahani & Co. is one of them, and there are other contractors who also pose as military contractors but who afterwards were found to be bogus ones, not authenticated by any certificate of the Government. It was probably the intention of the Government that they were to remove the surplus rice stock from the south of this district to prevent them from falling into enemy hands but what they did was to collect as much as they could from big rice marts such as Jhalakati, Barisal, etc., which were not denial areas. The result is that the rice stock in the less vulnerable area has been considerably depleted while there might be some surplus rice stock in the more vulnerable area on the sea coast. The result has been almost the reverse of what was intended by the Government. The problem of transferring the surplus stock, if any, on the face of the boat restriction order is easily understandable. Further, as the price of rice in the neighbouring districts is much higher, large stocks of rice have already left and are leaving the district. There is apprehension everywhere that if this outward flow of rice continues, there is bound to be shortage of rice in the near future. People everywhere are, therefore, interfering with the export of rice, necessitating official intervention in some places.

Sir, as I have already said, in the absence of a co-ordination of price between the districts of Bengal attempts at profiteering are more alluring than ever. Suppose the rice sells at Rs. 6-8 at Barisal, as we have found sitting on the Price Control Committee, if it sells at Rs. 6-8 at Barisal and if it sells at Rs. 7-12 at Dacca, Chandpur or Noakhali, then the merchants of Dacca would be naturally inclined to go to Barisal and to try to get rice by offering higher prices than the control prices. The result is there is a collusion between the sellers of Barisal and the purchaser of Dacca and Noakhali and the price at which it is actually sold is suppressed. So that sort of collusion prevails between the seller and the purchaser of different districts. Therefore, my point is this, that the prices of the districts in Bengal, at least so far as the neighbouring districts in Bengal are concerned, should be co-ordinated in such a way that there may be little margin of profit over the original price and the transportation charge so that there may not be attempt to profiteer and purchase rice beyond the controlled rate.

Now, Sir, as regards sugar, mustard oil and *dal* there is acute shortage and the commodities can hardly be obtained at the controlled rate. It is the general complaint of the local importers that they have to purchase their requirements from the Calcutta stockists at a price much higher than the Calcutta controlled price. Their complaint is that there is ineffective control at Calcutta and the effect of that also is visible at many mofussil centres. The problem could be solved if the local importers at Barisal and the mofussil stations could get their supplies in the care of the District Magistrate in lieu of the price paid through the local treasuries through *chalans*. It is said that the stock of mustard oil has become very meagre

as a result of the ban put by the Bihar Government on the export of mustard seeds. The same difficulty is pointed out with regard to *masur dal*, the bulk of which is imported from Bihar.

As regards soft coke, it is selling at the rate of Rs. 1-10 per maund. The official rate is Rs. 1-6 but the sellers are charging annas 4 extra on the plea of replacing coal dust by lump. In other words, if a consumer insists on purchasing at the controlled price he is made to accept quite a good proportion of coal dust and he finds it more prudent to purchase soft coke in lumps for Rs. 1-10 rather than purchase soft coke and coal dust for Rs. 1-6. Steps should be taken to improve supplies of wagons for transport of coal, acute shortage of which is imminent.

The remedy lies in improving production and transport facilities and vigorous steps to put down profiteering and illegal hoarding in any manner. To prevent any unwholesome flow of articles to any particular district, parity prices for each district should be fixed by the Government instead of leaving them to the district. Price Controllers cannot surely see beyond their own areas. Unless this is done, glut in one place and shortage in another are bound to happen. Executive officers should be relieved of a part of their routine duties to enable them to devote more time to price control measure, and in important trade centres, whole-time officers of the gazetted rank should be posted for price control work.

Kazi ABUL MASUD: Sir, I fully associate myself with Mr. Das Gupta so far as the resolution goes. The problem of supply of necessary commodities such as rice, salt, sugar, kerosene oil, etc., at reasonable prices is much more serious than any other problems of the day. The entire province is faced with an alarming situation of the greatest magnitude and there has been utter lack of policy on the part of the Government to supply the people with their daily necessities of life. The prices of articles are soaring speedily day by day and the matter has reached such a degree that if the policy so long pursued by the Ministry is not altered or modified the whole country will be faced with a most dangerous situation.

Sir, the Government by their policy have allowed the merchants to earn as much profit as they can and at the expense of the millions of poverty-striken people their bank balance is going to float day by day. The method adopted up till now to stop this profiteering is hopelessly bad. What generally happens is that the big merchants holding key positions are going on merrily with double or triple profits whereas some poor retail shopkeepers who live hand to mouth are brought under trial. The merchants demand any price they like according to their sweet will and supply any quantity of food to any consumer according to their own fancy and choice. Government officers and the big people are supplied with any amount or quantity whereas the public and particularly the poor Mussalmans are deprived of getting a little quantity of daily necessities. As for instance, a full tin of kerosene oil was supplied to the satellites of the officers whereas other people could not even secure a *chatak* of kerosene for their daily consumption. Instances after instances of this nature can be multiplied.

Sir, there was scarcity of rice in the market for some days together but no efforts whatsoever were made to compel the rice merchants who have hoarded thousands and thousands of maunds of rice to sell it in the bazar. In this connection, Sir, I should enlighten the House of one particular incident which would show how the policy is working and how the non-official gentlemen are put to undue harassment and unprecedented troubles, even in the days of bureaucratic Government. Babu Suresh Chandra Roy, a leading pleader of more than 20 years' practice of Natore Bar, informed the police that Babu Mahadev Roy, a merchant, had refused to supply him *ata*. The police made a formal enquiry. All the godowns of this big merchant numbering about four were not searched and the House will be amazed to hear that Mr. Roy was hauled up in the criminal court for giving false information. Mr. Roy had to face the trial and he has been honourably acquitted. In this case it transpired in evidence that some of the respectable gentlemen did not dare to give information to the police because of the threats held out by the police. Sir, I shall refer to another incident which would show that the public is to take the risk of prosecutions even in placing their legitimate grievances before the officers. The sub-jail contractor of Natore brought to the notice of the executive officer that Babu Dhurjati Nag had demanded higher prices of coal from him than the scheduled price. He was asked to file a petition with requisite stamps and his deposition was taken down on solemn affirmation. The result is that the man has been prosecuted and the sword of Damocles is still hanging on his head. Sir, the Ministry should take stock of the whole situation and immediately pursue a better policy to remedy the grievances of the public. Sir, the problem of supplying *dal bhat* cannot be solved by issuing *communiqués*, holding out high promises, releasing statements after statements and printing leaflets for party propaganda at the cost of public money.

Sir, I must admire Mr. Chakrabarty of the Progressive Coalition Party for his vocabulary, but I cannot agree with him that the sabotage after the unfortunate day of August 8, has been started throughout India due to this food problem. He has accepted a brief on behalf of the Congress but he could not build up his own case. It does not stand to logic that all on a sudden one fine morning the congressites started the agitation to remedy this food problem but, Sir, the day is not far distant when the whole country would be faced with a greater disaster; rebellion will break out against the parasites and hoarders; anarchy will prevail throughout the country, lawlessness and disorder will reign everywhere, complications after complications will add and the millions and millions of people of this Province will have to face death due to starvation, lawlessness and disorder unless the problem is seriously and efficiently tackled with immediately. Sir, I congratulate Mr. Rasik Lal Biswas——

(The member having reached the timelimit resumed his seat.)

Mr. SHAHED ALI: Mr. Deputy Speaker, Sir, there is plenty of rice in the Tippera district in the eastern part but jute is grown in the western part. So long the demand was made that rice would flow down from Hill

Tipperah, but by the enactment of an ordinance no rice is available from there and as a result the people of Comilla are suffering very much. With regard to control over rice, I beg to submit, Sir, that the shops that were entrusted to sell rice generally mix a bad type of rice with a good type of rice, but the people have to pay higher prices. I would request Government to see to it that if there is a good quality of rice that should be absolutely good and it should not be allowed to be mixed up with a bad type of rice.

So far as kerosene is concerned, in the Chandpur subdivision, the sale has been entrusted with the union boards. Instead of selling kerosene themselves they sell quantities of kerosene oil to shopkeepers and thus the shopkeepers get a higher price than they would otherwise have got. It is also suspected that they subscribe some amount of their income to public purpose. Controls are entrusted with some shopkeepers who will not sell kerosene to the customers unless they purchase other articles from them. For example, Sir, they say to the customers: "If you do not take soap or other articles from us we shall not give you kerosene." Thus these customers are compelled to buy other articles. These shopkeepers are generally found to be very dishonest and resort to unfair means. So, my request to Government is that Subdivisional Officers should be instructed to take more care in ascertaining the shops which are selling rice and kerosene oil. With these few words, Sir, I support the resolution.

Babu KSHETRA NATH SINGHA: Mr. Deputy Speaker, Sir, the other day Mr. Narendra Narayan Chakravarty poured forth vituperation on Mr. Rasik Lal Biswas. Sir, I am sorry for that. I admit that he deserves some amount of vituperation but not of such a strong kind as Mr. Chakravarty placed on his shoulders. Speaking about him, Sir, conscience strikes me too much because he comes from our community and honourable members must show some sympathy for the backward communities. I may tell Mr. Chakravarty that Mr. Biswas also learnt from the same school where Mr. Chakravarty did. He was returned on Congress ticket and was supported by the Hindu Mahasabha. If there is anything bad in him, it is because of the training.

To come to price control, this is the crying need at the present time. Somebody is telling that control will do harm to the country. We are in a fix. So, we ask the Government to consider whether control should be exercised. But to my mind it is very necessary that there should be some sort of control. Otherwise the merchants will do anything and everything and they will charge whatever price they like for commodities. I can cite the case of Rangpur where sugar is not available at the present moment. What is the cause? Though there were huge stocks with merchants, sugar was not forthcoming and there was a police case. When sugar, was not available in the market, 40 bags of sugar, *i.e.*, 80 maunds of sugar were detected by the police and brought before the police line.

But after some time, after a few hours, those bags of sugar vanished from that place and where they went nobody knew. I would ask the Government to be very careful about all these things and to see that such things did not happen in the future. In Rangpur there is a Committee, but the Committee consists of men who have had a share in the spoil in these difficult times. The Committee should be such as to enlist the sympathy of public men and philanthropists of the Province. The Rangpur district has not got surplus rice this year. When Rangpur was suffering from want of rice, rice was being exported to other districts through Hili and some other places. For this reason I would ask the Government to see that within the district the price is controlled and export somewhat modified. But rice should not go from any district outside Bengal. Let me cite here one instance. To the district of Dinajpur we sent people to purchase rice. The merchants there asked a price of Rs. 10 per maund, though the control price was Rs. 8-8. The merchants in Dinajpur would not sell for anything less. Therefore some people bought rice at Rs. 10, some at Rs. 9 and some others came back not being able to purchase at that price as there was control price in Rangpur. Afterwards, Government themselves purchased rice at Rs. 10-10. How that is being done I do not know. I draw the attention of the Hon'ble Minister to look into this matter. This is the difficulty we are experiencing and we ask the Government to be very careful in fixing the price of some commodities. It is somebody's opinion that the control of rice should be withdrawn. I think that if the control on rice is withdrawn it would be better in these difficult times because the merchants are very adamant that if the control price is continued, they would not indent more rice than they are purchasing. If that is not possible, I think at least the price of rice should not be enforced.

About sugar, we sent people to purchase sugar from Setabgange where also the same difficulty at present exists. The millers asked for Rs. 4 above the current price. We do not know how they could do it. We therefore ask Government to see to it that the millers do not ask for more for their commodity. It is something like bribery that should be stopped. This is the situation and we strongly ask the Government to see that no export from this Province is allowed because Bengal has not got sufficient stocks of rice and other commodities this year.

Mr. ANANDILAL PODDAR: Mr. Deputy Speaker, Sir, I rise to support the resolution now under consideration. We are too far advanced, at present, amidst the exigencies of the war to discuss any longer, the advisability of the price control system, which as a measure of public necessity justifies in curbing the inflationary tendency of the prices of essential commodities. The price control as a principle, justifies itself unquestionably to suppress the profiteering motives of the unscrupulous. Yet, it is such a delicate and responsible task which without thoughtful planning and resourceful administration proves out to be of disastrous effects to the interests of the public.

Sir, I do not desire to bring forth a discussion of the merits and demerits of the system, but surely the inefficient, ill-planned method of its administration have kept the public on the tenterhooks of fear since its very inception. As it has since become apparent to all of us, its administration, at the hands of the officers of our Government, has aggravated the misery of the public instead of tending to its weal. Very little care and thought have been imparted to the appreciation of the particular conditions and special circumstances, of the Province, glaring ignorance of statistical knowledge of our own resources has been betrayed, farsightedness in planning for transport and distribution and consumption have been banished by the administrators of the system in our Province, who in their docile way of playing to the tunes of the Central Government, have experimented with the destinies of fifty-five millions of the populace of Bengal, which never confronted such a wanting condition before as that at present.

Sir, the Government officers, in their exuberance of authority and indifference to the real needs of the populace, have paused very little to consider their steps in a field of operation, which they had never previously moved in, I mean, controlling of markets, arranging for supplies, catering for distribution, and all that without the co-operation of the producers and merchants. It has been an instance like playing the Hamlet without the King of Denmark. Since the very principals, who should have been enrolled as volunteers for the administration of the system—I mean the producers and the merchants, have been suspiciously and lukewarmly kept at arm's length by our officers. Permit me to submit, Sir, that the whole cause of this melodrama lies in the despicable treatment, hurled upon the commercial community by the adventurous officers, firstly, by inventing certain economic formulas of their own, and, secondly, by victimising the public eventually to wreak the penitence of their own folly. They have set up Advisory Committees from among the merchant class to assist the Administrator, but which in fact have seldom been called upon to tender their advice, and hence to my mind it appears that these advisory Committees which would otherwise have been considerably helpful in ameliorating the situation, have been meant to serve as mere scapegoats.

I need not impress upon you, Sir, that this system stands to-day frustrated and wrecked not on account of its inherent weakness as much as on account of its invidious administration. It is started from the wrong end and whereas for its efficiency and accomplishment it should have been in line with the see-saw of productive storage of procuration with distribution and consumption it has drifted much awide. If the wholesale distributors could not replenish stock at prices which would not cover the distribution cost, leaving profit aside, the system had to give in either to a complete breakdown or to a chaos. Very little heed has been paid to study this situation. Let the stock position of the imported commodities alone, Bengal is made to suffer to-day in the field of its own staple products like rice, whose shortage has all along been denied. Our administrators assayed a surplus stock position so much so that they had to be anxious in

planning of denial of surplus stock to the enemy and to-day we observe that the boot is on the other leg. There is very little knowledge imparted to us about those stocks of paddy and rice which the Government stored as a denial policy, since, had we known anything about it, we could have suggested its wastage upon our starving millions instead of waiting for the eventful day when its only utility will be scorching. The tale of sugar and wheat is still more miserable to tell.

Originality and invention of new tenets of price control have been more abundant in the minds of our administrators than the material whose prices are to be controlled by them, and you will find further that in the face of this scarcity of materials our officers have further come forward with the complicated system of Permits and Passes as if they would not rest content with whatever little is made available to us through the normal channel of trade.

The situation at present is such, Sir, that while the Government might quite succeed in bringing abundance to us after some time but if the present is not served, many of us may not probably exist to express their gratitude to them.

The permit system has been so much ill-conceived and so precipitatedly brought out that a good stock of materials has to wait for quite a good time to reach the consumers since it is made to suffer as many formalities and regularities as a Real Estate transfer.

It is high time, Sir, that without any further experimentation at the hands of these ingenuous officers we should be busily harnessing the co-operation of the commercial community in administering the system in a practical, efficient and break-proof manner.

I apprehend, Sir, that if immediate measures to amend our follies and resuscitate trade on its own convenience are not adopted, the pity of the internal situation of the country will be much intensified bringing in its trail such serious consequences as are heir to adamancy and inflexibility.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Sir, in the absence of the Hon'ble Minister in charge of the Department I have been asked to reply to the debate.

Now, Sir, the motion moved refers to two important points in connection with price control and supply of essential foodstuffs and other essential commodities, viz., first of all, that the control should be exercised in consultation with the representatives of trade, production and consumers; and, secondly, that the system of issuing permits to traders, dealers and other agencies should be at once discontinued all over the province. So far as the first proposition is concerned, viz., that the control should be exercised in consultation with representatives of trades, production and consumers, obviously that proposition is one which is acceptable to Government and also to all sides of the House. In fact, Sir, whatever Government had tried to do during the last one year has been in consultation with representatives of trades and of production. So far as the consumers are concerned, there

are no such recognised bodies which represent the interests of consumers of all classes and conditions of people. So far as the members of the Assembly or of the Council are concerned, I believe they can be said to be representatives of consumers and also Government may be described as representatives of consumers as well. So far as the question of issue of permits is concerned, we have noted, Sir, the various allegations which have been made that there are misgivings in the minds of the members of the House that issuing of permits in different parts of the Province has not been in strict accordance with the requirements of the districts concerned. It is not obviously possible that Government should accept the recommendation that the system of permits should be altogether discontinued. At the same time Government will certainly see to it that permits, where they are to be issued, are conditioned by rules and regulations, which will make it impossible for the persons issuing permits either to exercise any favouritism or be influenced by any other consideration which may not be in the interest of the people at large.

Now, Sir, this leads me on to consideration of the entire problem. This question of supply of foodstuff and price control is one of considerable magnitude and presents difficulties which are well known to the members supporting the Government as also to the Opposition. As has been pointed out in the statement made by the Hon'ble the Chief Minister, Bengal is in this unfortunate position, the reasons we need not stop to explore to-day, that barring rice, in respect of other essential commodities, we have to depend on other parts of India. Now, so far as the general question of price control is concerned, obviously price control, unless it is definitely correlated to supply, is worse than useless. Government can fix prices but if it cannot properly control supplies, well, economic considerations will apply and price control may not be of any assistance at all. Now, Sir, if we just look for a moment to the essential foodstuffs other than rice, we can cite as an illustration the question of supply of salt. Now, as the House is aware, a few months ago the Province was faced with a very serious situation so far as salt was concerned. Government fixed the prices: the prices were altered from time to time: but the position was not improved until the provincial Government could, in consultation with the Government of India, arrange for bringing salt into this Province in much larger quantities than what was possible previously. With regard to salt there are about seven factories in this Province and only about 25,000 maunds of salt are produced by the seven factories which mean one day's consumption for the whole of the Province. Then there is some salt which is manufactured in accordance with the terms of the Gandhi-Irwin Pact in coastal areas, and the total quantity of that salt comes up to ten lakhs of maunds per year whereas the total consumption for the entire Province comes to 80 lakhs of maunds of salt. Now, Sir, Government did not sleep over this question of salt. We discussed about it, some of the Ministers went up to Delhi where we discussed the matter with the Government of India. I need not trouble the House with details but arrangements have been made for bringing salt by ships so long as Calcutta port remains open, and if

unfortunately there are developments which make it impossible for the Calcutta port to receive ships, then, of course, other arrangements will have to be made. Now, so far as the manufacture of salt within the Province is concerned, there also we have discussed the matter with the Government of India and plans are now ready with the full concurrence of the Government of India which will enable Bengal to produce larger quantities of salt from the coastal areas and it is assumed that we may be able to produce extra ten to 12 lakhs of maunds of salt for next year's consumption. But even here let me warn the house that unless we succeed in getting salt from other parts of India it will give us a total of 22 lakhs of maunds of salt whereas our annual consumption comes to 80 lakhs of maunds.

Now, Sir, look at sugar. So far as sugar is concerned, there again we are dependent, if not entirely, almost entirely on Bihar and the United Provinces. The Government of India has allotted sugar to Bengal but there is the question of transport. Here in order to assure the House that the Provincial Government has done all it could possibly do I would tell you that we have been in communication with India Government and arrangements have been made to get sugar into the Province during this interim period to the extent of 2,800 tons. This is, of course, quite apart from the other allotment which comes to about 2½ lakhs maunds every month which remains undistributed. The transport difficulties, the question of priority and so forth are there. These transport difficulties have been accentuated by the present disturbed conditions in the adjoining provinces of Bihar and the United Provinces which made transport more difficult, but we have received information in the course of the last few days that just as goods trains have started again moving into this Province so also other arrangements have been made with steamer companies and between the two, the trains and the steamer companies, acting together it is hoped that we shall have at any rate such quantity of sugar coming into the Province which will save us from a crisis.

Sir, I need not multiply instances but the same serious position faces us with regard to mustard seeds and *dal*. It is a misfortune on the part of the Province that with regard to almost all the essential commodities we have to depend on supplies coming from other Provinces.

Now, let me turn for a few moments to the question of rice. This is a problem which has certainly assumed serious proportions and Government is trying to solve the matter to the best of its ability. Here, Sir, let me make an appeal, particularly to the Opposition. So far as the question of food supply and price control is concerned, let us not make this problem a party question at all. After all the Opposition also requires food if the Opposition is to be kept alive and kicking and people outside this Assembly have to be kept alive and the responsibility for keeping them alive rests as much on the members supporting the Government as on the members belonging to the Opposition, and, Sir, I would make this appeal to the members of the Opposition that in the solution of this very difficult task let us put our heads together. I need not disclose here before the House how during the last few days with regard to one important aspect of this

problem we have not been able to reach a decision yet but we have been in consultation with the leaders of the Opposition as also representatives of other interests. It is only by such a process of mutual consultation, leaving aside points on which we may agree to differ and differ violently, that Government may hope to solve this very difficult task with which it is confronted.

With regard to rice, Sir, the figures which were supplied by the Agriculture Department for the year that is now about to close go to show that Bengal would have surplus rice to the extent of 3 to 4 lakhs of tons which come to more than a crore of maunds of rice. I know, Sir, that it will be asserted that those figures are not dependable. Obviously I am not here saying that the figures are absolutely dependable but there are certain methods of calculation which have been pursued in the past, year in and year out, and more or less those figures have not proved violently incorrect. But this year, although the year is not out, we are faced with a problem which certainly gives an impression everywhere that there has been a shortage of rice in the Province. Now, people say that rice has not come from Burma; that is true; and also there was a heavy export of rice from Bengal during the first few months of the year 1942; that is also true; but taking all those facts into our calculation we cannot help feeling that unless something has gone wrong somewhere in a manner which is not imaginable there must be surplus rice available in the Province. What are the factors which have been in operation during the last few months? You remember, Sir, in February-March when the war situation took a very serious turn and there was panic and consternation everywhere Government itself advised that people should keep about two months' food supply in stock. There has been a natural tendency for people to keep rice not for the purpose of profiteering but for mere self-defence. There has also been a tendency to hoard rice on the part of people who might be anxious to do a little profiteering. There have been reports current that the Bengal Government has permitted large stocks of rice to go out of Bengal—Ceylon or Middle East or Bihar or places like that. This is an important aspect of the problem which I must deal with.

Now, Sir, let us face the situation from this point of view. As I have just tried to explain with regard to many essential commodities we have to depend on supplies coming from other Provinces of India. Bengal does not merely for the fun of it wish to see rice going out of the Province and her own people suffering on that account. But if we do expect that the rest of India will come to our rescue for the purpose of supplying essential foodstuffs, if we do expect that the Government of India will use its force and authority to send out such foodstuffs for the use of the people of Bengal, we cannot simply shut our eyes and say "We shall not allow anything to go outside this Province".

The House will agree that there must be a rational adjustment and we must look upon India as a whole without of course ignoring the rightful and just claims of Bengal. Let me say, Sir, here that the total quantity of rice during the next three months, before the new rice would be

available, which the Government of India would like to see requisitioned from the Province comes to about 35,000 tons. This 35,000 tons represents on a rough calculation about two days' food for the entire Province. The Government of India has not yet requisitioned under the Defence of India Rules but has suggested that in order to enable the Government of India to see that other things are properly supplied to this Province it expects that the Province of Bengal will respond generously with regard to the supply of rice up to a maximum of that amount.

Now, Sir, let me assure the House here that up till now we have not done anything which will be prejudicial to the interests of the people of this Province and we have not definitely committed ourselves to any particular figure. But the House will agree that some assurance has to be given to the Government of India that taking all things into consideration the Government of Bengal with the full concurrence of the Legislature will not hesitate to help other Provinces or other parts of India provided there is proper *quid pro quo*.

Now, we have been trying to obtain figures and statistics from different parts of the Province. Circulars have been sent out, but frankly speaking we have not been satisfied with the replies we have received up till now. Let us look at the problem from the practical point of view. We expect the new rice to be available, say, some time in December; in other words, what we have to see to is this: we must somehow carry on during the next two months. There are certain obligations which Government has to face. There have been allegations in the Province and also some members have said that the Government of Bengal has been overgenerous to the Bengal Chamber of Commerce. Let me say what actually has been done. We have not supplied any rice or foodstuffs to the members of the Bengal Chamber of Commerce. Government has a certain responsibility with regard to the labourers in the industrial areas, particularly in respect of those concerns which are engaged in production of commodities required on account of the war. Now, all that we said was this, and this was an offer not to the Bengal Chamber of Commer alone; it was an offer which was made to the Bengal Chamber of Commerce, the Bengal National Chamber of Commerce, the Muslim Chamber of Commerce, the Indian Chamber of Commerce, that for the purpose of keeping these labourers in some sort of satisfaction Government will be prepared to supply rice up to 50,000 maunds a week, for one month for their use. Certain other commodities have been supplied, but that is on the basis of replacement and here too this very offer has helped to stabilise conditions. In other words the actual demand made on the Government has not come up to 50,000 maunds. These particular associations which are responsible for the control of these factories and other industrial concerns have been able to obtain rice from the market, but the assurance of the Government is there that in case there is an emergency Government will see to it that there is no deadlock, so far as work in these industrial areas is concerned until new rice will be available. Similarly, Sir, I do hold this view very very strongly that Government should see to it that no individual as such is benefited by any scheme which

Government may prepare. The scheme which Government has prepared and will prepare must be such as will enable the trade to receive large quantities of supply and Government will see to it that the rules which will be framed will permit such commodities to be sold at reasonable prices. There may be certain sections of people whom Government may have to think about—for instance, as I said just now, about those engaged in industrial concerns. There may be others who are regarded as belonging to the essential services. For instance, we have seen that some supply is available to the sweepers and scavengers and other workers under the Calcutta Corporation. The scheme of opening about 70 shops in Calcutta which now consume about 2,500 maunds of rice a day just enables the poorer people in the city to receive some quantity of rice per day. Now, Sir, this scheme, before it was launched, was criticised by many people and it was said that it could never be a success. Of course, it has not been a success to the extent that we have been able to solve the problem of scarcity of rice in the city. True; but, at the same time, it has helped to allay panic considerably, and if honourable members will go and pay a visit to the shops which have been opened under the authority of Government, members will see the long queue formed and the readiness with which the poorer classes of people go there and get something to keep them going.

Now, this brings me, Sir, to the amount of rice which we have in stock. The total quantity of rice has come up to about 9 or 10 lakhs of maunds including both rice and paddy. Now, Sir, obviously that is a very small quantity for the total quantity required. Questions have been asked why this rice is not released for ordinary consumption. I hope, Sir, that it will be possible for Government to add to this stock and this stock will be available to meet any crisis that may arise in the course of the next two months. It is a small stock I admit. Steps are being taken and I hope will be taken more vigorously in the course of the next two months which will enable Government to increase the stock, so that the poorer classes of people may be helped if a crisis really comes before the new rice will be available in the market.

One important consideration which, I believe, Government has tried to follow and which any Government must follow is that Government must permit the ordinary trade channels to function. When Government feels convinced that the trade channels have broken down, that those trade channels are not observing the ordinary rules which Government considers in the general economic interests of the Province should be observed, it is only then that Government should intervene directly. That has been the policy of Government and that will be the policy of Government in future.

So far as the criticism levelled against the department goes, I admit, Sir, that the department has almost broken down under the pressure, very great pressure which came upon it as the problem assumed most serious proportion. But as the House is aware, the whole department has been re-organised. One serious objection which was brought to our notice every time was that the office was located in Writers' Buildings, the Bengal Secretariat, and the system of passes and so forth made it impossible for

persons belonging to the trade or ordinary individuals to go and meet officers and ask for information or redress if they would like to do so. The entire office is being removed from the Bengal Secretariat and taken to Hare Street from, I believe, next week, and what is being done is that there is one officer appointed for Calcutta alone. The Director of Supplies will be there. He will remain in charge of the entire Province. The District Officers have been asked to see to it that some officers are placed entirely in charge of the price problem. Committees have been set up and will be set up more vigorously so that Government and the District Officers may always ascertain the viewpoints of the representatives of trade and also representatives of the public. I do hope, Sir, that when such Committees will be formed, it will be possible for us, for the members of the Legislature, no matter whether they belong to the Government party or to the Opposition, to sit together in these Committees and help themselves and also help the local officials to see to it that the scheme of price control and supply is properly adhered to.

I now come to the charges of corruption, favouritism and so forth. I was not present on the day when my friend Mr. Suhrawardy, who has now attained the reputation of making statements which have nothing to do with truth, said something about me, namely, that I asked some commodities to be supplied to some Secretaries belonging to the Hindu Mahasabha. Sir, a greater libel could not have been uttered on the floor of this House.

Mr. H. S. SUHRAWARDY: Even if the statement I made is not founded on fact what does it matter? After all, I can speak only from information. I am prepared to withdraw it. But will the Hon'ble Minister here on the floor of the House deny that he has issued permits from time to time?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: I have not issued any permits at all. It is not my business to do so. But what I have done in one or two cases—and I think that is part of the policy which every Government should adopt—is that whatever permits are issued should be issued to a group of traders who come forward to take the responsibility for supplying the essential foodstuffs through the channels of trade for the benefit of the public as a whole, and I think that is the correct principle that should be pursued by any Government which may remain in office. (Mr. H. S. SUHRAWARDY: Even if he is a hardware merchant!) No, not to a hardware merchant. Sir, I do not know who are the informants of Mr. Suhrawardy now. If Mr. Suhrawardy with his unlimited personal experience can give me some information as to how corruption is actually resorted to, then I shall certainly see that such methods are not applied so long as the present Ministry is in power.

Sir, I need not dwell on this point any further. But, Sir, what I do say is that after all the main question is one of supply and when supply goes down there is a natural tendency to indulge in profiteering which is bad. If there is any charge of corruption anywhere, if there is any charge of favouritism which has led to a situation inconsistent with the interests of

the public at large, let that allegation be made to the Government. I shall say this on behalf of the Government, not on my personal behalf, that Government is as anxious as the Opposition to see to it that there is no corruption and that there is no charge of favouritism so far as the administration of this very important Department is concerned.

Mr. H. S. SUHRAWARDY: Let the Finance Minister examine the case——

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Let us not go into that now. I say it in good spirit and let there be a response from the Opposition. After all, the trouble about my friend is this that he always likes to look at things from the prism of his own mind. Unless I send him to a mental hospital, I can never set him right.

The point is this that this is far too serious a matter to be trifled with and it has to be tackled if Bengal is to be saved. We are talking about political disturbances and if we fail in this scheme of keeping the masses satisfied—not to the extent which they would claim under normal circumstances but to the extent which an ordinary human being has a right to claim—if we fail to do that, there will be a collapse of the administration. It is essential—it is no use indulging in mutual recriminations—that we must put our heads together. We have done our best. There might have been faults here and there. If there have been faults, let us forget those faults. Let us go ahead with the new scheme, with the new organisation, only a brief outline of which I have placed before the House, and if there are any constructive suggestions made from any quarter, inside or outside this House—mere destructive criticisms will not do, the problems are there and only the fringe is touched—I can give an assurance on behalf of Government that we shall always deem it our duty to depend on such willing co-operation as would be extended to us on behalf of the members of the Legislature and on behalf of the public outside.

With these words, I hope that the honourable member will withdraw his resolution.

Mr. TAMIZUDDIN KHAN: Do the Government believe that large stocks of rice have gone underground and if so what are the Government doing about that?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: I am glad that my honourable friend has raised this question. So far as that question is concerned, no one can answer it definitely. But we do feel that a considerable quantity of rice has gone underground. We have issued instructions to District Officers and steps have been taken and are being taken. What those steps are my honourable friend will not expect me to disclose here. How can these stocks be discovered? On that point, if persons coming from different parts of Bengal, belonging to all sides of the House, can give us some information—after all they know these things more than we who are sitting here in Calcutta do because they come in contact with District

Officers and they mix with people—if they can give us some information as to where Government can get some idea of that huge stock, Government will not hesitate to do anything that lies in their power to recover that stock and place it at the disposal of the public at large.

Mr. ABDUR RAHMAN SIDDIQI: There is one question about which I am disturbed and which the Hon'ble Minister may be pleased to explain, viz., the possibility of transportation of sugar by waterways from the United Provinces and Bihar to Bengal. Are there any methods available even after the denial policy?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: I may tell Mr. Abdur Rahman Siddiqi and my friend who was talking to him—I won't call him his mentor—that we have just received information that arrangements have been made with Steamer Companies for bringing sugar into Bengal.

Sreejut NARENDRA NATH DAS GUPTA: Sir, I beg leave of the House to withdraw my resolution.

Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Mr. Deputy Speaker,——

Mr. DEPUTY SPEAKER: If you want to put a question I can allow you. I cannot allow you to make any speech.

Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I had no intention of taking any part in this debate. But things have come to such a pass that unless I am frank and tell my friends what can be done for improving the prospects of agriculture and solving the difficulties that have arisen in the province I think I shall be failing in my duty——

Mr. FAZLUR RAHMAN: On a point of order, Sir. Is he entitled to make a speech at this stage?

Mr. DEPUTY SPEAKER: You are correct. I was also going to say the same thing. Nawab Sahib, you are permitted to put a question. I cannot allow you to make a speech at this stage.

Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: W[illegible] tell you is this——

Mr. DEPUTY SPEAKER: I am sorry, I cannot allow you to make any speech at this stage.

The motion of Srijut Narendra Nath Das Gupta, that this Assembly is of opinion that control over prices of foodstuffs, piece-goods and other essential commodities be exercised forthwith in consultation with the representatives of trade, production and consumers; and facilities of public

co-operation in this matter be made more effective and easier in urban as well as in rural areas, and the system of issuing permits to traders, dealers and other agencies be at once discontinued all over the Province, so that there may be free flow of trade and commerce with consequent greater availability of articles by consumers, was then by leave of the House withdrawn.

Price for Jute.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Deputy Speaker, Sir, after listening to the Hon'ble the Finance Minister, who was speaking on behalf of his colleague in the Agricultural Department, my hope has gone down in this matter of relief for the cultivator of jute. The plea in the whole of his speech, and of the case he has put before us, boils down, in my estimation, to this that the control price of rice is Rs. 7-4 while it is actually selling all round at Rs. 9-8.

Mr. DEPUTY SPEAKER: May I know whether you have moved your resolution?

Mr. ABDUR RAHMAN SIDDIQI: I am sorry. Sir, I beg to move that "this Assembly is of the opinion that the Government has failed in its duty to the cultivators of Bengal by not taking any steps to secure fair and reasonable prices for jute."

In doing so I have to take the speech of the Hon'ble the Finance Minister——

Mr. DEPUTY SPEAKER: I think there is some confusion. I want to know whether you are going to speak about rice or jute.

Mr. ABDUR RAHMAN SIDDIQI: Jute, Sir. The appeal for co-operation is responded to 100 per cent., provided the Government and its servants do not run away with the rights of the people of Bengal. He wants instances. I give him one name and I hope he will try to investigate and satisfy himself on the point. That name, Sir, is Kalidas Bose, or more familiarly, Kali Babu. If he sets this task to the secret service agents under the control of the Government of Bengal and tries to find out the activities of this particular pest to the Cabinet, he will, perhaps, understand why the trading community, the merchant classes and the poor consumers are so terribly upset. The Hon'ble the Chief Minister, in his speech the other day, referred to the *Fatka* market—his insinuation was understood—but unfortunately the *Fatka* market is not the only market where Ministers have been known to operate. Sir, I have never done any business on the *Fatka* market nor have I speculated in gunnies or hessian. I have also no financial advisers of the type of one Devi Dutt Bhaliwal. I have no money in *benami* fixed deposits in local banks and therefore I cannot——

The Hon'ble Mr. A. K. FAZLUL HUQ: I could not follow what my friend was saying.

Mr. ABDUR RAHMAN SIDDIQI: As I have asked the Hon'ble the Finance Minister to find out the activities of Mr. Kalidas Bose, I hope he will note down this second name of Devi Dutt Bhaliwal also, and try to find out what his activities are and what is printed in black and white on a visiting card about these activities. He will then understand why the commercial community, not Muslim but Muslim, Hindu, Marwari, English and others, is in a state of terror. These Ministers cast their evil shadow on the markets of speculation, on markets which show upward and downward tendencies from day to day. The Chief Minister, Sir, will bear me out that the Muslim Chamber of Commerce did its utmost to bring to his notice certain aspects of the jute trade. He was good enough to listen to us and he was pleased to see that in one year,—I am not absolutely certain about the figure—in one year alone the agriculturists in Bengal made from jute 30 to 35 crores of rupees. But the votes in this House affected their position while the war made it worse. The representatives of agricultural classes and, particularly, the Krishak-Praja group thought that restriction of cultivation was not likely to be welcome to their constituents and the result was that Krishak-Praja representatives, not the party, but those who claimed to speak in the name of the agriculturists, both in the Coalition Party of the old days and those in the Opposition, ruined a magnificent scheme which the Government of the day had accepted and carried out and by which the price of jute had gone up high and had brought untold wealth to the cultivators. The psychology of the Hon'ble the Chief Minister——

Mr. ATUL KRISHNA GHOSE: Louder, please.

Mr. ABDUR RAHMAN SIDDIQI: I think I speak so loudly that I may even cause some annoyance to members.

The psychology of the Hon'ble the Chief Minister, Sir, is like the weather. It is susceptible to sudden depressions and disturbances. At the behest of these so-called well-wishers of the cultivators the restriction on the cultivation of jute was not increased further. On the contrary this Government has actually increased the area under cultivation. And why? Because votes were more important than the prosperity of the cultivator. World markets had become closed to us due to the War. Japan's entry into it, and the depredations in the Bay of Bengal, closed not only those areas which Japan had captured but they also interfered with our exports to North and South America and other parts in the world still open to us. The normal requirements of the mills are a known quantity—so much and not more. These had dwindled down. Our exports were almost cut out. That wonderful baby of the British Exchequer, the United Kingdom Commercial Corporation, will not take all our jute. How much can we send to Russia? How much can we send to Iraq, Iran, Syria, Egypt, Turkey and other neutrals? The total of the maximum exports may come to 12 lakhs of bales. With that, Sir, was it wise to extend the acreage? It was a mad policy on the part of the Government and of those who did not understand the commercial side of the matter, to increase cultivation at a time when all these markets were closed. It was madness of the highest order not to have taken action even

when Japan entered the war. I cannot understand how the Finance Minister's speech for his absent colleague will ever be justified. In a way I am glad that the Hon'ble Minister-in-charge has been sent away on a Government errand to Dacca, because the answer he gave the other day was not only annoying but irritating, coming as it did from the most responsible person in the Government—the man did not know what he was talking about: he did not know what the price of jute was. He said in reply, "somewhere between Rs. 3 and Rs. 6". That is how answers are given in this House. And if, in spite of that, if we say, with a full sense of responsibility, that the Government is going on wrong lines, it is certainly not criticism for criticism's sake alone. I always try to speak from my heart and with conviction, sometimes rightly and sometimes perhaps wrongly, but I speak out what is in there.

The Finance Minister asks us to co-operate. We will, with all our heart and soul, provided Devi Dutts and Kali Babus are not allowed to interfere. Let us sit together. We all wish well to the agriculturists. The Chief Minister should have realised that 95 per cent. of the agriculturists are Muslims and we would not be true to ourselves if we did not look to their interests. Under the new dispensation even if the Chief Minister tries to do well, howsoever little it may be, to the Muslims he becomes mortally afraid that he will be called a communalist, and this would, in his view, dry up the sources of benevolence and patronage flowing from his new political *guru*. If that is his attitude, then woe to Bengal, woe to the poor Muslim cultivators of Bengal! We are here, Sir, to beg of the Government to help us, to help the Muslims. The principle on which Government should base its policy should be to restrict cultivation in proportion with the figures of exports and of internal use and consumption. It is an easy problem. A committee of experts, of seven or eight, can sit together and fix the total. What actually has happened is that in spite of sand-bag orders, in spite of the activities of the United Kingdom Commercial Corporation, orders have not increased. We are in the midst of a war in which the chance of increasing the export of jute is restricted until it is over. The obvious remedy is to restrict cultivation. In my speech on the Financial Statement in the Budget session I impressed upon the Hon'ble the Finance Minister to take up this problem seriously and I requested him to switch off from jute to the production of food-grains. They are now shouting, "Grow More Food". I would be inclined to cry "Grow More Wisdom". I feel inclined to accuse the Government of having played false to the man behind the plough. I ask what harm has he done and what crime has he committed to deserve such callous treatment? I want to shout and cry as did one a million times greater than I could ever aspire to be, "O, Lord, forgive them for they know not what they do". They have done incalculable harm to the poor cultivator for which Allah alone will forgive them. Imagine, Sir, instead of sending a technical expert to Delhi, this wonderful Government of ours sent the ex-Principal of the Law College of Calcutta, to settle terms with the Government of India for the purchase of surplus stocks of jute in Bengal. Have you heard of such a thing? Can you tolerate such a terrible mishandling of the situation? A *communiqué*

was issued, but till to-day we have not been told what are the arrangements under which the Government of India is going to save Bengal. It is spending crores and crores of rupees on war, but whether it will come out with large amounts of money to help us out of the difficulty is problematical. Yet, if the subventions expected from the Government of India, are utilised properly, I feel that the situation can, even now, be taken in hand and improved considerably.

The 1942-43 crop is expected to be about 125 lakhs of bales. To this if we add 10 lakhs of bales which are still with the trade and the cultivators and 35 lakhs of bales in the godowns of the mills, the total is 170 lakhs. On the other hand, consumption is expected to be about 50 lakhs of bales in the mills. Exports, as I have said, will be about 12 lakhs of bales. What are you going to do with the huge surplus of 108 lakhs of bales?

Let us also look at another aspect of the problem. The mills, as a rule, do not purchase when the poor cultivator wants to sell his jute. They wait, they wait and they wait. They buy when his back is almost broken. This year he has been able to hold out a bit longer because rice and other food-grains he had produced, brought him almost 100 per cent. profit, but that will not last long. The *Pujahs* and the two *Eeds* are coming. He will have to sell and by that time, expert opinion in the market feels, the price will be forced down to Rs. 3. That, Sir, is not an economic price. It does not fetch the cultivator what he has actually spent in producing one maund of jute. He is going to get Rs. 3 for his jute while rice in the villages is sold at about Rs. 8. This connotes famine, starvation and death. A remedy will have to be found; a remedy must be found. What the Government has in its mind we do not know, but I hope and pray, that with the Government of India's help, with local help, with appeals to mills and merchants and *dalals* something will be done to fix an economic price for this commodity and keep it at that level. In Brazil they burnt thousands of tons of coffee in order to create an economic level of price. Similarly the prices of wheat in Argentine were kept at a particular level. If the gentlemen inside the Cabinet do not possess sufficient ability or capacity to deal with this problem, I would beg the Cabinet to seek the co-operation of the trade and of the representatives of cultivators. I am sure when heads are put together we will be able to find a solution. God forbid, Bengal may become an actual war area or, our fears, on that score, may be wrong, but before the calamity is actually on us, we have got to carry on as best as we can. Therefore, Sir, I hope without any acrimonious discussion, the very humble request I have tried to make in my resolution will be acceptable to the Government. Let the Ministers concentrate their efforts on fixing a minimum price for jute, say at Rs. 6 and if the mills try to force this price down, let them, by hook or crook, purchase the surplus stock.

Sir, we have heard of the scorched earth policy of denying to the enemy the benefit of the crops. In this war this Government, the so-called popular Government which, even if it does not represent the majority of the people of Bengal, all the same it is a Government of Indians, should sympathise with the cultivator and purchase his surplus stock at Rs. 6. Six rupees

should be the pivot round which the policy of the Government should turn. Let the Government be up and doing. There is no time for delay or complacency.

Mr. J. R. WALKER: Mr. Deputy Speaker, Sir, I listened with great attention to what the honourable member Mr. Siddiqui had to say on this all-important problem and because of the fact that he advised the House that through the advice given to the members of his party, the agriculturist was able to make 35 crores of rupees, I thought we would hear this morning something which would help us to solve and help the Government also to solve the present problem which is totally different from that which prevailed when the last Government was in power. He has spoken this morning on the restriction policy and in speaking on the Chief Minister's statement the other day the honourable member for North Calcutta, Mr. Suhrawardy, also spoke strongly not only against the Government but against the trade for supporting the provision for a ten-anna crop for this season. I hardly think that it is necessary for me to remind the House of the circumstances which prevailed when this decision was made. The mills were actually working 60 hours a week. There was a good demand for raw jute not only from the United Kingdom but from the United States of America. The event of Japan's coming into the war, however, put an entirely different complexion on the whole situation. Japan came into the war in December, and it was not until May that the mills were compelled, owing to the entirely different shipping position, to reduce the working hours by ten per cent. and also to seal ten per cent. of the looms. I would like to point out to the House that the demand was good at that time. Mr. Siddiqi has made no mention, however, of what happened in May or of the steps which Government took to transport goods from this port to western ports for shipment overseas.

With regard to the restriction of the crop, I understand that the idea of the Muslim Party is that the figures should have been fixed at something like the lowest basis, *i.e.*, 5-anna crop. Mr. Siddiqi has given figures as 125 lakhs of bales whereas the final forecast is actually 90 lakhs of bales. He has given a figure of 50 lakhs of bales as being the carry forward whereas the actual figure is 25 lakhs of bales. The estimated consumption by the mills based on actual figures is 65 lakhs of bales and the estimated export demand is expected to be not less than 15 lakhs of bales. This makes a total of 80 lakhs of bales which will be required this season. Had there been a 5-anna crop, it would only have been possible to meet the local demand which, I think members of this House will agree, would have been an impossible position. The price of jute to-day in Calcutta is Rs. 9-8 for middles and Rs. 6-8 for bottoms. After allowing for the extra charges caused by war risk insurance on jute stocks, etc., together with the increased cost of baling, the *raiyat* should be getting a price of not less than Rs. 5-8 per maund at baling centres where shipping space is available and quality is reasonable. *Tossa* is realising at least Rs. 2 more to the *raiyat*. The whole question is governed by transport

In stations where freight is not available or is very scarce, it is a fact that the *raiyat* is having very great difficulty in disposing of his jute at any price. It must be fully realised by the members of this House that the position is that the mills are anxious and desirous of buying jute, because there is no doubt that they are in need of it and I can tell the House that prices for ready delivery of jute are high and jute is taken up immediately. The fact is that merchants upcountry are unable to trade in many districts owing to the fact that their godowns are already full and therefore storage space is not available. It is not so much a question of the price to be paid to the *raiyat* as merchants being unable to buy jute until sufficient shipping space is made available to allow them to continue trading.

Let us examine what the last Government did. They bought 34 lakhs of bales of jute. If this Government can deliver the bales to the mills, they will buy them, but the whole question hinges on transport, and you can deal in bales as you cannot in raw jute. Mills are in need of jute now.

Sir, I fully sympathise, and we of this party would support, any move which is made to secure a fair price to the *raiyat* in all districts and in keeping with prices that are being paid by the consumers. The whole question of transport is being tackled and it may be that the crop will take longer to reach Calcutta than would be the case in normal circumstances. I trust that Government will be supported by all right thinking people that every effort will be made to see that the *raiyat* is not forced to sell his jute at a discount because of lack of shipping facilities and the inability to store through lack of space and lack of financial resources to hold it. The problem is difficult and more difficult than any Government have been faced with before. Efforts should be made to tide over the period between harvesting and shipment, and as I have said we of this party will do everything possible to help Government towards that end.

Mr. ATUL KRISHNA GHOSE: Mr. Deputy Speaker, Sir, I have got to say something which will not be palatable to the members of the Opposition (cries of "Ha, ha" from the Opposition benches) who instead of giving a statement of facts have indulged in personal vilification and have described that the policy that this Government enunciated with regard to jute is a mad policy. Sir, madness is a virtue which mad people themselves cannot understand and it is because of that very fact that even when hundreds of mad people are confined in one particular house, they cannot combine and they cannot come out of their house by assaulting two or three warders. Sir, this is the virtue of mad people and in their own reflection they find everything mad, policy mad, country mad, surroundings mad, everything mad. Sir, intoxicated with madness of personal vilification when one honourable member of the Opposition describes others in terms which are not gentle and polite, one has got to say regarding this matter, one has got to mention the state of things as has been depicted by him. The honourable member representing the Muslim Chamber of Commerce conveniently forgets that learning is not the monopoly of his Chamber only, there might be professors, there might be other businessmen, there

might be other traders who can equally claim that they have got the competent knowledge. When the honourable member describes that the *ex*-Principal of some Law College was deputed for certain purposes to give data to discuss the question of jute he forgets that besides him there might be professors, there might be traders, there might be lawyers, there might be journalists equally conversant with the situation and can give their opinion and can come to a satisfactory conclusion——.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: May I make an enquiry from my friend Mr. Ghose? I was not present here when my friend Mr. Siddiqi made a reference to me, and said that I had been to Delhi to discuss the jute problem. I may say that this is not correct.

Mr. ATUL KRISHNA GHOSE: Sir, the honourable member depicted the policy of this Government as a mad policy on the ground that ten-anna acreage was fixed by this Government in view of this critical situation. But may I know from the honourable member who I see is absent and conveniently absent to avoid all these unpleasant remarks who fixed up this ten-anna acreage? What is his name? Who is that Minister and under what circumstances he fixed up 10 annas? Is it not a fact that Mr. Suhrawardy, the then Hon'ble Minister in charge of Labour and Commerce, fixed that ten-anna acreage? If that is madness, who is that mad gentleman? Find him out and ask these questions of him. (A VOICE: There is Mr. Ispahani.) I don't think that Mr. Ispahani is a good substitute for Mr. Abdur Rahman Siddiqi. Then the honourable member becomes a great follower of Islam and says "Let Allah forgive those who fixed up this ten-anna acreage to the detriment of the peasantry". Let Mr. Abdur Rahman Siddiqi pray with folded hands to Allah to save the *ex*-Hon'ble Mr. Suhrawardy from the great crime that he committed by fixing that acreage. Mr. H. S. Suhrawardy and Mr. Abdur Rahman Siddiqi, if I may be permitted to say so, are the concave and convex parts of the same mirror. I think that if Allah is to forgive anybody, He should forgive the *ex*-Honourable Mr. Suhrawardy.

Mr. DEPUTY SPEAKER: You have so far said not a single word bout jute.

Mr. ABDUR RAHMAN SIDDIQI: May I rise on a point of order? Can the honourable member use the word "*ex*-Hon'ble" in respect of a member of this House?

Mr. DEPUTY SPEAKER: The word "Hon'ble" can be said of any member of this House.

Mr. ABDUR RAHMAN SIDDIQI: There cannot be any "*ex*-Hon'ble", Sir.

Mr. DEPUTY SPEAKER: He said "*ex*-Hon'ble Minister".

Mr. ABDUR RAHMAN SIDDIQI: "*Ex*-Hon'ble" it cannot be. It should be *ex*-Minister.

Mr. DEPUTY SPEAKER: He meant *ex*-Minister.

Mr. ATUL KRISHNA GHOSE: After a few minutes time my esteemed friend Mr. Abdur Rahman Siddiqi has removed his blindness of facts. I do not say——.

The Hon'ble Mr. A. K. FAZLUL HUQ: What about jute? To-day is Friday and we cannot have a prolonged sitting.

Mr. ATUL KRISHNA GHOSE: I am coming to jute. I have dealt with the policy so far to show whether there has been a mad policy or sane policy.

Mr. DEPUTY SPEAKER: Will you kindly finish your speech in three minutes?

Mr. ATUL KRISHNA GHOSE: I won't take more than three minutes. I find that my honourable friend Mr. Siddiqi has been freed from the blindness of facts and has come to realise that certain things were committed by certain members and for these things he cannot legitimately and fairly make other people responsible. If anybody was responsible, I would like to say that it was Mr. Suhrawardy.

Let me now, Sir, come to the facts. The jute problem has been facing this Province for a fairly long time. The Indian National Congress did its very best by pamphlets and other propaganda to ask the peasantry to reduce the area of cultivation to some extent. But ultimately it did not meet with success. The last Government, I must honestly say with a good motive—I don't mind whether they succeeded or failed—reduced the cultivation of jute by so many measures known to this House. I am coming to the present Government. This Government had some communication with the Government of India who gave them an assurance that if this excess jute was cultivated they would come to the rescue of the Ministry and that they would purchase some quantity and, if I am informed rightly, it was said that some quantity would be required by the American Government and it was because of this consideration that jute cultivation was indulged in to some extent and that indulgence was right and just under the then circumstances. Now, Sir, we are no less anxious to preserve the rights and privileges and financial position of the peasantry of Bengal so far as jute cultivators are concerned. We have discussed this matter thoroughly and we are trying our best to look into the interests of the

peasantry who are now faced with this problem. We appeal to Government to take the necessary steps so that the Government of India in co operation with the Government of Bengal may come to the rescue of the peasantry and purchase the jute from the cultivators and thus save them from their sufferings.

Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I am not one of those who can indulge in the pursuit of telling others that they are responsible for all the wrongs done in the past. I find that the problem has arisen in this country for which a solution must be found. Government ought to find a solution. My friend Mr. Walker has stated that the transport difficulty is responsible for the reduction in price. There has been a reduction in price. Jute is selling in the countryside at the rate of Rs. 3-8 to Rs. 5. It is not a price which may be considered economical. Unless you can devise a scheme by which they can get a higher price for their jute, you will plunge the country into a disaster, the depth of which will be difficult to describe. The countryside is full of rumours and mischief-mongers are utilising them for their own ends. Government should come forward with a scheme to increase the price of jute anyhow. It is for the Government and not for individual members to do that. My suggestion is that for the next year we should fix just to-day, now and here, the percentage of acreage for jute, and I suggest that you should not allow more than three annas of the average jute land to be cultivated with jute next year. If such a decision is announced just now and here that only three annas of jute land will be cultivated next year, then in spite of all the idle talks here I am sure the cultivator will be able to demand the highest price for his commodity. I am personally certain that this will be the case but what is now required is a little bit of boldness on the part of the Ministry in shaping their future policy about jute. If the Government is prepared to pursue such a course, then not only will they earn the gratitude of millions of our countrymen but they will also find the land flooded with money. But on the other hand if the Government fails to adopt such a course, then they will by their action bring about such disorder and disruption in the country that they will not be able to stop it with the help of all the forces, civil and military, which are at their disposal. And above all the responsibility for bringing about that disorder and disruption in the country will ultimately fall on their heads. Therefore, Sir, once again I appeal to the Government that they should just now and here announce that next year not more than three annas of jute land will be cultivated with jute.

Mr. TAMIZUDDIN KHAN: Mr. Deputy Speaker, Sir, I shall begin with a question. It is this: has this Government realised the seriousness of the situation that has arisen on account of this abnormal fall in the price of jute? Government must answer the question in the affirmative but I would submit that the way in which the Hon'ble Minister in charge

is treating not only this question but this House as well is an index of the answer that the Government should give to this question. The Hon'ble Nawab Bahadur of Dacca, who is in charge of the Department, has gone to Dacca on an important business of State. I fail to understand, Sir, what other business could be more important to a Minister of Government than the question of jute which we are now discussing on the floor of this House. I think that shows the apathy and callousness with which not only the Nawab Bahadur but the whole Government is treating this question. A question has been asked who was responsible for fixing the acreage for jute this year. No one can deny that it is overproduction that has brought about this serious situation. Now, Mr. Ghose will fix the responsibility on the previous Government because admittedly the previous Government fixed the quota of ten annas—no member of the previous Government will ever deny that, rather they have publicly avowed it. But immediately after the previous Government resigned, Japan came into the war; when the previous Government had fixed that quota, Japan was neutral. As soon as Japan entered the war, the whole aspect of the situation was altered, but the present Government assumed the role of waverers when a serious situation was staring them in the face. Then after sleeping for some time they woke up and ran to Delhi. There, they say, they got a promise from the Government of India to purchase jute. They probably consulted the Government of India about the reduction of the quota but they were no match for the Government of India and therefore they could not reduce the quota. What did the Government do then? The Hon'ble the Nawab Bahadur in reply to a question the other day said that they advised the people to restrict sowing voluntarily and not to sow ten annas as had already been decided by Government. Now, Sir, the whole country knows, all members of the House know that the scheme of voluntary restriction latterly had absolutely failed. Even as late as 1942, did the Nawab Bahadur, or did Government as a whole, or did for the matter of that the supporters of the present Government ever think that the cultivators would listen to this pious advice of the Government of Bengal to reduce the quota by voluntary restriction? That was where the present Government failed. If the Government actually realised the situation they would have reduced the quota to 4 annas and if that was done this present situation would not have arisen. Therefore, it is not the previous Government on whose head you can fix the responsibility. The responsibility must be accepted by the present Government.

Then, Sir, we felt seemingly assured when we were told that the Government of India had given them a promise that if difficulties arose they would come to their rescue and would provide money for purchase of jute. That was good so far as it stood, but what have the Government hitherto done regarding the matter. They have done nothing whatsoever to induce the Government of India, to give them money for the purchase of jute. Now, Sir, we hear that some of the Hon'ble Ministers are contemplating to go to Delhi. This is the way how our Government act. They have acted in the same way so far as the important problem of food is concerned. When the House is already burnt they are calling

the fire brigade. They are behaving in the same way. It is now the end of September. Even if a scheme of purchase materialises when can they give effect to that. They will go to Delhi; they will come back from Delhi and then they will mature their scheme, and I am sure, Sir, before the end of October or the beginning of November they cannot begin to purchase. If that is so, do the honourable members, do the members of the Progressive Coalition Party, believe that by that time our cultivators will have much jute in their hands? This is the way how the Government have been acting.

Now, as to overproduction, there can be no doubt whatsoever in the mind of at least that section of the House which is constituted of the Indian members—though the white members think that the production is commensurate with the demand and the only difficulty is transport difficulty——

The Hon'ble Mr. PRAMATHA NATH BANERJEE: On a point of order, Sir. Are the members of this House to be divided into two categories—black and white?

Mr. TAMIZUDDIN KHAN: My honourable friend is amongst the whites.

Mr. A. F. STARK: The description should be pink, Sir, not white.

Mr. TAMIZUDDIN KHAN: Then, Sir, that there is overproduction, there can be no doubt about that. Even, though the situation is hopeless, can we do anything? It is somewhat reassuring to find that the Progressive Coalition Party have taken up the question. The Progressive Coalition Party would have no chance if there was no sitting of the Legislature, and I would submit that if Government were wise enough to call the Monsoon Session of the Legislature the Progressive Coalition Party would have taken up the question earlier and the situation that has arisen might have to a certain extent been averted. Unfortunately that was not done. Even late as it is they seem to have recommended that a minimum price should be fixed and that Government should launch upon a scheme of purchase. I congratulate those members who have made this recommendation but I shall congratulate them finally when we see they have been able to induce the Government to act up to their recommendations. Now, Sir, though it is late I would suggest that Government should at once launch upon a scheme of purchase but that purchase should not be confined to the city of Calcutta. If they want to purchase as we did previously in Calcutta that will be of no effect whatsoever. This is an important aspect of the question and no purchase in Calcutta could solve the situation because admittedly there are transport difficulties. There is no doubt about that and there is hardly any excess jute in Calcutta to be purchased. If the Government actually want to help the cutivators they must launch upon a scheme of purchase to be made in the mufassal districts. If they do not purchase there the whole scheme will be ineffective.

Now, Sir, I hope that the Government which count upon and rely upon the support of the Coalition Party will listen to their recommendations and will also fix a minimum price as has been recommended by them. But simply minimum price will not solve the problem and they must launch upon an extensive scheme of purchase.

Then, Sir, I would also submit that there is something in what my honourable friend Nawab Musharrat Hossain has said. He has said that Government should just now announce that so far as the coming year is concerned there will be no jute sowed and Government should issue a *communiqué* to that effect. Sir, I agree to the principle underlying his statement but I do not think that Government can go so far as to say that there should be no jute whatsoever to be sown next year, but I agree that Government should seriously think over the problem now and forthwith arrive at the quota that can be allowed next year. Probably our European members will say that it is too early to fix what should be the quota next year. There may be difficulties but the difficulties of the cultivators are far greater than these technical difficulties. Therefore, I would submit, Sir, that in spite of whatever difficulties there may be in the way the Government should sit together and think over what should be the next year's quota. I submit, Sir, that so far as the coming year is concerned not more than 4 annas should be allowed to be sown and if that is declared now that will have a very good effect on the market. Therefore, Sir, I submit that without a moment's delay Government should launch upon the scheme suggested by me and which, I think, has the support of all sections of the House. If they do that, that will do a belated justice to the poor cultivators. You know, Sir, that the price of jute has gone down to Rs. 2-8 to Rs. 3. They have to sell two maunds of jute for purchasing one maund of paddy. They are starving absolutely and unless the Government realise the situation and take the matter up immediately with a firm hand, the cultivators cannot be saved.

Mr. ABDUR RAHMAN SIDDIQI: May I have one minute, Sir? I made a statement about the crop of next year. In that I mentioned 125 lakhs of bales. My attention has been drawn to the exact figure published by Government. That figure is 90 lakhs of bales, that is to say, 35 lakhs less than what I mentioned. Trade never accepts Government figure as correct. The bazar, trade and expert commercial opinion is nearer to my figure than to the Government figure. There has been no drought, there have been no floods with the result that this figure, at best, I can characterise as most conservative.

Mr. ABDUL WAHAB KHAN: Sir, I would ask Government to answer only three questions: whether there is a surplus production of jute, what arrangements have been made to help the agriculturists to get the minimum price and what arrangements have been made by Government to improve transport of facilities. These are the three questions.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I rise to say a few words with an overpowering sense of responsibility as I know I have to deal with a problem bristling with difficulties. My esteemed friend Mr. Tamizuddin Khan has roundly charged the entire Government with apathy and callousness because the Minister in charge just happens to be temporarily absent but although my colleague may be absent, we are here to answer questions and to take the entire responsibility for the administration of the department.

My esteemed friend Mr. Abdur Rahman Siddiqi is not a foreigner, neither is he a Bengalee, but he is well posted with facts regarding the intricacies of the problem because he has studied the problem first-hand in the streets of Calcutta.

Now, Sir, my friend has said that we do not know what the price of jute is in the various markets of Bengal. May I point out to him that just as the qualities of jute vary, the transactions at various markets vary considerably from place to place. Even in one district the prices ruling in one market may be entirely different from the prices ruling in other markets. Take, for instance, markets like Sirajganj, Narayanganj, Sharishabari, Bhairab or Atharabari. In all these places it is difficult to state what the minimum is and what the maximum is. But I admit that Bengal at the present moment is faced with a crisis unparalleled in the economic history of the province in modern times. Whether we know the prices or not, it is well known that a cultivator at the present moment cannot purchase one maund of rice unless he can sell at least three maunds of jute. This is a position which must raise feelings of horror and dismay even in minds which are apathetic to human miseries and human sufferings. But, Sir, there are circumstances over which human beings have no control, and this must be taken into account in apportioning blame and responsibility. Sir, I speak on behalf of the Government when I make an earnest appeal to all sections of the House to give us the benefit of their advice at this critical moment in the history of our country and sit with us and tell us exactly how to retrieve the position. I will tell the House what we have done, what we have been doing and what we propose to do.

Now, Sir, I will not blame the previous Government in the least for their decision to fix 10 annas acreage. Whether the decision was right or wrong, I must take responsibility along with my erstwhile colleagues and I must say that when that decision was taken it was certainly justified by circumstances and by expectations. Later on, Sir, the situation deteriorated and we had the benefit and the privilege of a first-hand discussion on the entire situation with Sir Ramaswamy Mudaliar, the Commerce Member to the Government of India, and we had a full and frank discussion, and we were told that we need not be worried over the 10 annas acreage, because the demand at least from the United States was so great and so insistent that under ordinary circumstances the jute that would be available in the market would be sold at proper prices. Now, Sir, things perhaps would have gone on all right, but the entry of Japan into the war in December upset all our calculations, and may I, Sir,

remind the House at this stage that unfortunately the entry of Japan coincided with the formation of the present Government—the present Government came into power at a time when Japan entered the war—and, as I have said, upset all our calculations. Now, Sir, we immediately realised the danger and in January we paid our first visit to Delhi to discuss with the Government of India as to what we should do in view of the fact that the circumstances indicated that there would be over-production and that the price would naturally fall very seriously. Now, Sir, even then we were assured by the Government of India that the demand from the United States still stood good. As a matter of fact the Hon'ble Commerce Member had trunk telephone talks with responsible Ministers outside India and he assured us that in the circumstances that stood at that moment there would be nothing very serious to apprehend. We pressed that throughout Bengal there was a very very strong feeling that the acreage should be reduced to 5 annas. May I at this stage pay a tribute to my ex-colleague Mr. Tamizuddin Khan that he has always stood very loyally by a policy of shortening the acreage. Now, Sir, it was pointed out that we should stick to the ten-anna proportion and when we insisted on a lesser proportion, the Government of India told us frankly that we were free to do so, but if things go wrong, if in spite of the shortness of acreage there was a slump in the market or if for other causes jute was not sold, the Government of India would not take the responsibility for the situation and the Government of Bengal would not be justified in looking up to the Government of India for help. On the other hand, they told us that they were ready to concede to a reduction of from 10 annas to 8 annas acreage with the additional assurance that if the position deteriorated they would readily come to our help. Sir, we thought that if we were to act strictly according to our inclinations, we might have perhaps reduced the acreage and reduced the production to a certain extent. But we thought that the question of transport were also difficult and there were so many uncertain factors likely to disturb the market, that we would not be prudent in giving a jump into the unknown, and that it would be more wise to accept the suggestion of the Government of India, because we felt that even if things went wrong, we would not be able to go up to the Government of India for help. Now, Sir, we realise that time has come when we should impress upon the Government of India to make good their promise and I may tell the House that that aspect of the case has not been lost sight of and that a scheme has been prepared and is being considered by the Government and we want to push forward with our demand for help.

Maulvi AHMED ALI MRIDHA: Consideration may be given by the Government of India when we will be in the other world.

The Hon'ble Mr. A. K. FAZLUL HUQ: I can assure Mr. Mridha that he is not going to leave us very soon. He is going to live for ever and ever and ever. (Laughter.)

Now, Sir, I need not take up the time of the House any longer. As I have appealed, we propose to get together persons who know the trade, who know the situation, either in a committee or otherwise and by means of consultation fix up the lines of action which we should follow. We are going to press upon the Government of India to render us the utmost help that is possible. We will accept any suggestions that will be made by the Consultative Committee. We will not only do that but we shall see when time comes that purchases are made from the actual jute cultivators. Those are matters of detail. At present we have got to decide upon the policy and we are going to have a Consultative Committee of those competent to judge and to advise, and having decided upon that we wish to press the claims of Bengal on the Government of India in the name of the entire Province—(Interruptions.)

Maulvi AHMED ALI MRIDHA: The Chief Minister is going beyond his jurisdiction.

The Hon'ble Mr. A. K. FAZLUL HUQ: I can assure the House that when the Opposition comes into power Maulvi Ahmed Ali Mridha will be made the Jute Minister. Now I have been interrupted so much that I have not been able to place before the House what I wanted to.

Mr. SYED ABDUL MAJID: What is your proposal?

The Hon'ble Mr. A. K. FAZLUL HUQ: As I have stated, the Progressive Party has not been negligent. They have been holding meetings and they have been putting forward suggestions. We are not going to depend on the suggestions of the Progressive Party alone, but we are going to consult my esteemed friend, Mr. Abdur Rahman Siddiqi and any other nominees of his or any other persons who, we think, ought to be consulted. We hope and trust that they will approach this question in a spirit of service to the country and to the people and not in an acrimonious spirit hurling abuses at one another. He is incapable of looking even at this question dispassionately.

(A MEMBER: What should be the next year's acreage?)

I believe that the Government of India are anxious to help the Province of Bengal in this crisis. The problem of jute is not merely a problem which concerns Bengal. It concerns in a manner directly or indirectly the whole of India. It concerns the trade all over, and I am quite sure that in finding a satisfactory solution of the problem we will have the willing co-operation of all sections of the people of this country.

Sir, with these few words, I would ask the honourable member to withdraw his resolution.

Khwaja Sir NAZIMUDDIN: May I ask the Hon'ble Chief Minister one question? As everybody knew the price of jute was going down on account of the 10-anna quota, why did not the Government of Bengal

approach the Government of India in July or August when the cultivators held their jute instead of waiting till the end of September when practically half the jute had gone out of their hands?

Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Will the Hon'ble Minister be pleased to state whether they have decided upon the question of restriction of crop next year?

The Hon'ble Mr. A. K. FAZLUL HUQ: In reply to the question put by the Leader of the Opposition, I may point out that we first discussed this question with the Government of India in July and when the situation began to deteriorate we paid three visits to Delhi and discussed the situation. The promise that was held out to us is the very thing that we pressed upon the Government even in August. We wanted a solution of this problem and it is still before the Government of India and we expect relief very soon. The question is being considered by the Government of India in the Finance Department.

Mr. DEPUTY SPEAKER: Mr Abdur Rahman Siddiqi, are you going to withdraw your resolution?

Mr. ABDUR RAHMAN SIDDIQI: No, Sir. I could have withdrawn Sir, but——(Interruptions.)

Mr. DEPUTY SPEAKER: Order, order. I shall put the motion to the House.

The motion of Mr. Abdur Rahman Siddiqi that this Assembly is of opinion that Government has failed in its duty to the cultivators of Bengal by not taking any steps to secure fair and reasonable prices for jute, was put and a division taken, with the following result:—

NOES—97.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Abul Quasem, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Anwarul Azim, Khan Bahadur Md.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Barat Ali, Mr. Md.
Barma, Babu Premhari
Barma, Mr. Pespajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Gupta, Mr. J. N.
Hasanuzzaman, Khan Sahib Maulvi Md.
Hasem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.

Kabiruddin Khan, Khan Bahadur Maulvi.
Kasem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra
Lahiri, Babu Ashutosh.
Mepherson, Mr. G. P.
Mafizuddin Ahmed, Dr. (Bogra).
Maji, Mr. Advaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Krishna Prasad.
Manirozzaman Islambadi, Maulana Md.
Maqbul Hosain, Mr.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mukerjea, Mr. Taraknath, M. B. E.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Paul, Sir Hari Sanker.
Poddar, Mr. Anandilal.
Raikut, Mr. Prasanna Deb.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Dr.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondakar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Thakur, Mr. Pramatha Ranjan.
Wallur Rahman, Maulvi.
Walker, Mr. J. R.
Yousuf Mirza.
Zaman, Mr. A.M. A.

AYES—43.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdus Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alifazuddin Ahmed, Khan Bahadur Maulvi.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Ispahani, Mr. M. A. H., M.B.E.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Razaur Rahman Khan, Mr.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, O.B.E.
Suhrawardy, Mr. H. S.
Tamijuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

The Ayes being 43, and the Noes 97, the motion was lost.

Adjournment.

It being 12-5 p.m., the House was adjourned till 8-45 a.m. on Monday, the 28th September, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 28th September, 1942, at 8-45 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 177 members.

Mr. YUSUF MIRZA: Sir, there is no quorum.

(The Secretary counted the number and the requisite number was not found.)

Mr. DEPUTY SPEAKER: The House stands adjourned for 10 minutes.

(After adjournment.)

STARRED QUESTIONS

(to which oral answers were given)

Relief to the people of Tangail subdivision.

***59. Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the amounts that have been spent for relief works as—

(*i*) test relief,

(*ii*) gratuitous relief,

(*iii*) agricultural loans, and

(*iv*) other ways, if any,

for the distressed people of the subdivision of Tangail in the district of Mymensingh?

(*b*) Is the Hon'ble Minister aware that the *char*-crops of the *char* of the subdivision have been damaged by flood?

(*c*) If so, is the Hon'ble Minister considering the desirability of giving more relief in the form of agricultural loan to the people of the said subdivision?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) (*i*) and (*iv*) Nil.

(*ii*) Rs.100.

(*iii*) Rs.8,000.

(*b*) Yes.

(*c*) Yes. A further sum of Rs.50,000 as agricultural loans and Rs.1,000 as gratuitous relief have been placed at the disposal of the Subdivisional Officer, Tangail.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state when these amounts have been placed at the disposal of the Subdivisional Officer?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state why the gratuitous relief referred to in (*a*) (*iv*) is so inadequate and insignificant?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: It is because of the recommendation of the district official. If more money is needed, more money will be given.

Maulvi MUHAMMAD ISRAIL: How much did the district officer ask for from Government as gratuitous relief for Tangail?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: That information is not here, but if the honourable member so desires, the information will be made available to him.

Closing down of free primary schools within Chittagong Municipality.

***60. Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that all free primary schools within the Municipality of Chittagong are going to be abolished altogether or closed for a specified period?

(*b*) Is it a fact that normal conditions are being gradually restored in the town of Chittagong?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Hon'ble Minister is reconsidering the question of closing down the free primary schools in the said town?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) Primary schools within the Municipality of Chittagong were closed on account of the proximity of the town

to the war zone. As an experimental measure, 20 boys' schools and 10 girls' schools were reopened with effect from the 15th July last.

(*b*) No.

(*c*) Does not arise.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state what was the number of boys' schools and girls' schools in Chittagong Municipality before they were closed down?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I ask for notice.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether he knows how far is the town of Chittagong from the war zone?

The Hon'ble Khan Bahadur M. ABDUL KARIM: All that I can say is that the enemy is already in the district of Akyab which is to the contiguous south of Chittagong. I have no further information.

Mr. TAMIZUDDIN KHAN: With reference to the second sentence of answer (*a*), will the Hon'ble Minister be pleased to state what was the experiment about—was it to watch how boys and girls behave when they are bombed or whether schools are attended if opened?

The Hon'ble Khan Bahadur M. ABDUL KARIM: With the approach of the enemy almost at the gates of Chittagong, there was an exodus and all the schools naturally ceased to function. Therefore, after the danger moved away, it was thought necessary to try and experiment with certain schools with a view to seeing how far these institutions were attended.

Mr. TAMIZUDDIN KHAN: What was the result of the experiment?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The result of the experiment is that 20 boys' schools and 10 girls' schools are still running.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state the total number of schools that have been closed down?

Mr. DEPUTY SPEAKER: He has already said that he wants notice.

Mr. ABDULLA-AL MAHMOOD: The Hon'ble Minister has said that for experiment purposes 20 boys' schools and 10 girls' schools have been opened. So I presume that the Hon'ble Minister must know the actual figure.

Mr. DEPUTY SPEAKER: He wants notice.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether it is a fact that these institutions were closed immediately after the supersession of the muncipality by Government?

The Hon'ble Khan Bahadur M. ABDUL KARIM: No; it was done before the supersession of the Chittagong Municipality.

Maulvi MAFIZUDDIN AHMED: Will the Hon'ble Minister be pleased to state how many teachers have been thrown out of employment by the closing of these schools and how many of them are Muslims and how many Hindus?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I ask for notice.

Maulvi MAFIZUDDIN AHMED: Will the Hon'ble Minister be pleased to state if any arrangements have been made for paying subsidy to those teachers who were thrown out of employment, as the Hon'ble Minister has done in Calcutta?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I have no information at present.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether he is considering the desirability of making a subsidy to the teachers that were thrown out of employment in consequence of the closing of the primary schools in Chittagong, as he has been pleased to do in the case of Calcutta?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I shall consider the matter.

Review of security prisoners' cases by Tribunal.

*61. **Mr. PRATUL CHANDRA GANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government have constituted a Tribunal to review the cases of the security prisoners?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the Table a copy of the terms of reference of the Tribunal?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) when the Tribunal began its work and how far it has proceeded;

(*ii*) when the Tribunal is expected to submit its findings;

(*iii*) the number of security prisoners whose cases are being reviewed by the Tribunal;

(*iv*) the number of security prisoners who have made representations to the Tribunal;

(*v*) whether all the representations have been placed before the Tribunal; and

(*vi*) whether questionnaire had been framed by the Tribunal and was sent to the security prisoners for their answers?

(*d*) If the answer to (*c*) (*vi*) is in the affirmative, will the Hon'ble Minister be pleased state how many security prisoners had answered the questionnaire?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of security prisoners who have been examined in person by the Tribunal;

(*ii*) whether the Tribunal intend to examine all the security prisoners in person in order to obtain the views and opinions of such prisoners;

(*iii*) whether the cases of all the security prisoners will be reviewed by the Tribunal; and

(*iv*) whether the Tribunal has already submitted its recommendations to the Government?

(*f*) If the answer to (*e*) (*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state how many security prisoners have been recommended for release by the Tribunal?

(*g*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the Government is considering the desirability of accepting all the recommendations of the Tribunal; and

(*ii*) whether the security prisoners will be informed of the recommendations that will be made by the Tribunal in each case?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) and (*b*) I refer the honourable member to Home Department Notification No. 2037H.J., dated the 8th May, 1942, published in the *Calcutta Gazette Extraordinary*, dated the 9th May, 1942.

(*c*) (*i*) to (*v*) and (*e*) The Tribunal began its sittings on the 8th May, 1942, and submitted its findings on the 27th August, 1942. All cases of security prisoners against whom orders of detention were passed up to the 31st May, 1942, were laid before the Tribunal which considered the cases of 374 prisoners, received representations from 335 and personally examined 11.

(*vi*) Yes.

(*d*) 335.

(*f*) and (*g*) The Tribunal's recommendations are under consideration and until a decision is taken upon them it would be premature or inappropriate to disclose the details here asked for.

Mr. ATUL CHANDRA SEN: With reference to answers (*f*) and (*g*), will the Hon'ble Minister be pleased to state when Government expect to take a decision on the Tribunal's recommendations?

The Hon'ble Mr. A. K. FAZLUL HUQ: As soon as the Assembly and the Council sittings are over, we will have some time to devote to this very important subject. No time will be lost to make our decision public.

Mr. ABDUL LATIF BISWAS: With reference to answers (*f*) and (*g*), will the Hon'ble Minister be pleased to state whether the attitude of the Government with respect to the recommendations of the Committee as well as to these prisoners has been affected by the breaking up of disorder and confusion immediately after the resolution of the All-India Congress Committee?

Mr. DEPUTY SPEAKER: That queston does not arise.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the cases of prisoners under detention after the 31st May, 1942, will also be referred to the Tribunal?

The Hon'ble Mr. A. K. FAZLUL HUQ: They will also be considered.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether there was any arrangement to have personal contact between the Tribunal and the prisoners concerned during the judgment?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, a suggestion was made and the Tribunal was anxious to meet the prisoners, but for certain reasons the prisoners could not be brought up to Calcutta and the members of the Tribunal especially the President, who is unfortunately now dead, was too ill to undertake a journey to Dacca. In these circumstances the personal contact could not be arranged, but some prisoners were brought up and had the privilege of placing their grievances before the Tribunal personally.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister considering the desirability of having a personal contact between the Tribunal and the prisoners who particularly desire to see the Tribunal and place their cases before the Tribunal, so that proper justice can be done?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Tribunal has now been dissolved, and the question of prisoners coming before the Tribunal does not arise. But after we have considered the report if any prisoner be aggrieved by our decision and wants to represent the matter to us personally, his case will be considered.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether there is any case with the Tribunal now?

The Hon'ble Mr. A. K. FAZLUL HUQ: No. The Tribunal has been dissolved.

Dr. ABDUL MOTALEB MALIK: The Hon'ble Minister has said that cases of prisoners detained after the 31st May, 1942, will also be considered by the Tribunal. Will he be pleased to state whether Government think it desirable to refer these cases immediately to the Tribunal?

The Hon'ble Mr. A. K. FAZLUL HUQ: The cases will be considered by Government, because they cannot be considered by a Tribunal which is dissolved. If necessary, we can set up a fresh Tribunal.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state if the Tribunal submitted its report before the Assembly met?

Mr. DEPUTY SPEAKER: He has already given the answer.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please tell us whether there is any recommendation for release of some of the security prisoners?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, that is so.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state how many security prisoners have been recommended to be released?

The Hon'ble Mr. A. K. FAZLUL HUQ: As I have said I cannot disclose this matter.

Mr. CHARU CHANDRA ROY: Sir, it has appeared in the newspapers.

The Hon'ble Mr. A. K. FAZLUL HUQ: Even if any paper has disclosed it, it is unauthorised.

Superintendent, Alipore Central Jail.

*62. **Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the name of the Superintendent of the Alipore Central Jail;

(*ii*) the date when he was appointed Superintendent of the Alipore Central Jail;

(*iii*) the name of the post he was holding previous to his appointment as Superintendent of the Jail; and

(*iv*) whether he has any medical qualifications?

(*b*) If the answer to (*iv*) is in the negative, will the Hon'ble Minister be pleased to state—

(*i*) whether any non-medical man was ever appointed to the post previous to this; and

(*ii*) the reason or reasons for the appointment of a non-medical man to the post?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Mr. C. Heath.

(*ii*) 16th August, 1941.

(*iii*) Press and Forms Manager, Bengal, and Deputy Superintendent, Alipore Central Jail.

(*iv*) No.

(*b*) (*i*) Yes.

(*ii*) The arrangement caused the least amount of dislocation in the appointments of Superintendents of Central Jails and was considered to be the most economical.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state what was the scale of pay of the Superintendent, Alipore Central Jail, and how much is given to Mr. C. Heath who is the present incumbent?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the figure off-hand, but I can supply that information to the honourable member later.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether there is any other Central Jail in the province where the Superintendent is a non-medical man?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not sure about that.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state whether he is aware that the Superintendent, Dacca Central Jail, is also a non-medical man?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes. I stand corrected.

Dr. ABDUL MOTALEB MALIK: With reference to answer (*b*) (*i*), will the Hon'ble Minister be pleased to state what are the numbers of medical men and non-medical men holding these posts up till now?

The Hon'ble Mr. A. K. FAZLUL HUQ: It appears that this is one; the Dacca Central Jail is another; and there may be one other. The rest are all medical men.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় প্রধান মন্ত্রী মহাশয় তাঁর উত্তরে বোলেছেন যে Alipore Central Jailএর Superintendentএর কোন medical qualification নাই,—আমি তাঁকে জিজ্ঞাসা কোরতে চাই—Alipore Central Jailএর মতন এতবড় একটা জেলে যেখানে দু হাজার কয়েদী থাকে—যার ভিতরে large number of political prisoner ছাড়াও সাধারণ কয়েদীর মধ্যেই বহু সংখ্যক শিক্ষিত কয়েদী থাকে, সেখানে তাদের জীবণ রক্ষার জন্য—যাঁর অন্তত: সামান্য কিছু ডাক্তারি বিদ্যা আছে এমন একটা লোককেই নিযুক্ত করা ঠিক কি না ?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I accept the suggestion made by the honourable member, and I fully realise the importance of a medical man being in charge of the Alipore Central Jail. As I explained, this arrangement was made in order to meet an emergency. The points raised by the honourable member are already being considered by Government.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to tell the House whether it is for the first time that a non-medical man has been made the Superintendent of Alipore Jail?

The Hon'ble Mr. A. K. FAZLUL HUQ: I don't think so.

Relief to the people of Goalundo subdivision.

***63. Maulvi AHMED ALI MRIDHA:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that *aus* paddy in the subdivision of Goalundo has been entirely destroyed;

(*ii*) that *aman* paddy has also been destroyed almost entirely in all the unions;

(*iii*) that jute has been selling at Rs.2 to Rs.3 per maund;

(*iv*) that there has been very meagre production of jute in most parts;

(*v*) that rice and paddy are not available for sale according to needs;

(*vi*) that rice is selling at Rs.10 per maund;

(*vii*) that 50 per cent. of the people are on starvation;

(*viii*) that beggars and thieves have increased beyond proportion; and

(*ix*) that remaining 50 per cent. of the people will have to starve in near future?

(*b*) Will the Hon'ble Minister be pleased to state what steps do the Government propose to take for relieving the distress of the people?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) (*i*) *Aus* paddy in the subdivision has been damaged to the extent of 78 per cent. on an average, by drought.

(*ii*) Extent of damage of *aman* crop cannot be fully ascertained now as the condition of the crop is improving due to accumulation of sufficient quantity of flood water in the fields.

(*iii*) The Deshal variety of jute has been selling at Rs.4 to Rs.5-4 per standard maund and the Tossa variety at the rate of Rs.5-4 to Rs.6-10 per standard maund.

(*iv*) That is not the information of Government.

(*v*) It is a fact that rice and paddy are not being sold to the customers according to the quantity they want as the stock of the commodity is not large and the tendency to hoard is great.

(*vi*) The price of rice is as follows:—

Gazia (coarse)—Rs.8-8 to Rs.8-12.

Bashful (fine)—Rs.9-8 to Rs.10.

(*vii*) and (*ix*) That is not the information of Government.

(*viii*) No abnormal increase of beggars and thieves has been noticed by the local officers.

(*b*) Steps have been taken to distribute agricultural loan and gratuitous relief and also to start test relief works.

Rs.2,15,000 has been already sanctioned for agricultural loan, Rs.55,000 for test relief works and Rs.12,000 for gratuitous relief in the district.

Maulvi AHMED ALI MRIDHA: With referencece to answer (*a*) (*v*), where it is stated that "the tendency to hoard is great," will the Hon'ble Minister be pleased to state among which class of people the tendency to hoard is great—merchants who deal with the articles or any other class of consumers?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got the information before me, but probably the honourable member knows about this matter more than I do. If he can place the information that he has got at my disposal, I shall be glad to deal with the point he has raised.

Maulvi AHMED ALI MRIDHA: I shall see the Hon'ble Minister with what information I have on this matter, specially in view of the assurance that has been given.

Mr. MIRZA ABDUL HAFIZ: With regard to answer (*b*), will the Hon'ble Minister be pleased to state whether he is aware that the test relief that has been sanctioned in the whole of the Goalundo subdivision is inadequate?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am not aware of that fact. But if test relief is inadequate and if the honourable member takes the trouble of getting recommendations of the district officials, I shall certainly see that adequate relief is granted.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state if he is aware that neither agricultural loan nor test relief money or gratuitous relief has been distributed yet though the need for such help is great?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am not aware of that fact. But if, as the honourable member says, the need is great, directions will certainly issue for immediate distribution of relief.

Mr. TAMIZUDDIN KHAN: While congratulating the Hon'ble Minister on his arrival at the exact percentage, may I ask him how he arrived at that percentage—78 per cent.?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: My honourable friend's knowledge of arithmetic is greater than mine. I accept the figures given in the report by district officials. What knowledge of arithmetic they have I do not know. I have not the benefit of holding a test.

Maulvi AHMED ALI MRIDHA: With reference to answer (*a*) (*iii*), will the Hon'ble Minister be pleased to state which are the markets from which the information has been obtained?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: That information is not contained in the report before me, but if the honourable member desires to see me over this question, I will consider the whole aspect of the question with him.

Maulvi AHMED ALI MRIDHA: With reference to answer (*a*) (*iii*), will the Hon'ble Minister be pleased to state whether he is aware of the fact that the outlying places of the subdivision are not approachable at all either by boat or any other conveyance where jute is not being sold at all.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am not aware of that fact, but if the honourable member is pleased to make an affirmative statement to that effect, I shall be prepared to accept his statement.

Mr. ABDUR RAHMAN SIDDIQI: With regard to the Hon'ble Minister's answer that the figures supplied by the district officials are taken as the basis, will he be pleased to state whether there is any system of checking these figures?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The system of checking is one initiated by honourable members of the Opposition through supplementary questions.

Mr. ABDUR RAHMAN SIDDIQI: I am afraid I do not understand the Hon'ble Minister's answer where he stated that the calculations were based on figures supplied by the district officers. Will the Hon'ble Minister be pleased to state whether there is any method or system by which these figures are checked or are they allowed to go in, the whole lot?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: If these statements are challenged, then certainly they will be checked, but there is no regular system on the presumption that the figures supplied by the district officials must be incorrect.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state whether he is considering the desirability of placing the amounts mentioned in answer (*b*) at the disposal of a non-official committee for expenditure in the district?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I shall consider any such question in consultation with the district officers.

Maulvi AHMED ALI MRIDHA: With regard to answer (*b*), the Famine Code provides that test relief shall be undertaken by the District Magistrate through the help of the District Board Chairman and the District Engineer will be the person to execute the work. Will the Hon'ble Minister be pleased to state whether this practice has been continued this year?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I do not know whether the Famine Code is applicable to the disbursements of these grants. If it is applicable, obviously the rules contained in the Famine Code will be followed.

Mr. MIRZA ABDUL HAFIZ: With reference to answer (*a*) (*iii*), will the Hon'ble Minister be pleased to state whether he is aware that jute sells at a much lower price than what has been mentioned here in the interior of the subdivision?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: What is referred to here deals with two varieties of jute, but as against that the honourable member's information is that there are other varieties selling at a much lower price than this. If that is so, I shall be prepared to accept his statement.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state if there has been any order by the Government to the local authorities there to execute work on test relief by the departmental officers themselves and not by the district board?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am not aware of it. But if my friend has any grievance with respect to that question, I shall certainly look into the matter.

Mr. YUSUF ALI CHOUDHURY: Sir, may I point out to you that as Chairman of the District Board of Faridpur I find that they do not consult my district board.

Maulvi AHMED ALI MRIDHA: Sir, in view of the statement made just now by the Chairman of the District Board of Faridpur, will the Hon'ble Minister be pleased to state if he considers it desirable to follow the Famine Code and Manual which lays down that the distribution of test relief should be carried on in consultation with the Chairman of the District Board and the District Engineer?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information on which I can accept the statement of the honourable member, but as a statement made by an honourable member on the floor of the House should by courtesy be accepted, I can assure my friend that in this matter if the District Board Chairman of the particular district has been excluded I shall certainly make an enquiry as to why that procedure has been adopted.

Relief at Raipura.

***64. Mr. S. A. SALIM:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that Government have sanctioned a sum of (1) Rs.5,00,000 and (2) Rs.80,000, respectively, for the relief of (1) Hindu and (2) Muslim sufferers at Raipura?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing up to the last available date the actual expenditure incurred for the said purpose respecting the two communities?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) No.

(*b*) Does not arise.

(*c*) No separate lists for Hindus and Muslims were kept. A statement showing the total amount spent on relief during 1941-42 and 1942-43 is laid on the Table.

Statement referred to in reply to clause (c) of starred question No. 64, showing the expenditure incurred during 1941-42 and 1942-43 under different zelie, heads in Raipura Areas.

	Gratuitous Relief.	Agricultural loans.	Loan to Talukdars.	Loan to Traders.	Total.
	Rs. a. p.	Rs.	Rs.	Rs.	Rs. a. p.
1941-42 ..	1,43,750 15 6	50,000	89,500	41,314	3,24,564 15 6
1942-43 ..	1,35,000 0 0	84,629	83,740	97,575	4,00,944 0 0

*Includes Rs.50,000 given for maintenance, Rs.60,000 given for rebuilding of houses and Rs.25,000 given for purchase of tools by the artisans in the affected area.

Mr. S. A. SALIM: With reference to reply (c), will the Hon'ble Minister be pleased to state if any amount has been spent for the relief of the Muslim sufferers?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Here relief was granted on grounds other than the distinction between Hindus and Muslims.

Mr. TAMIZUDDIN KHAN: With reference to answer (c), will the Hon'ble Minister be pleased to state whether any record of the names of the persons to whom relief was given has been maintained?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I suppose so.

Mr. TAMIZUDDIN KHAN: If that is so, will the Hon'ble Minister be pleased to state if it is possible to prepare a list of Hindus and Muslims who received help from the Government?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I think it is possible, but I shall beg of the honourable member not to insist on that question. The relief was granted by Government in regard to an incident which should be a forgotten chapter in the history of this province.

Mr. TAMIZUDDIN KHAN: Sir, we consider this to be a very important question, and we hope the Hon'ble Minister will take this as a notice and will answer this question.

Babu ASHUTOSH LAHIRI: Is the Hon'ble Minister aware that no Muslim suffered at Raipura, but the money has gone as reward to rioters who attacked the houses and looted the properties of the Hindus?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am not aware of the fact. As I indicated just now, the distribution of grants in this matter was not based on the ground of distinction between Hindus and Muslims, but was granted to persons who had suffered.

Mr. S. A. SALIM: Sir, the Hon'ble Minister in answer to this question has laid a statement on the table which shows that loans were advanced to traders. Now, will the Hon'ble Minister be pleased to state if it is a fact that many persons who were not traders were given loans?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information on the point.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state how was the extent of the damage done to property assessed by Government officers and on what principle were loans for relief granted?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: In order to be able to answer that question, I shall have to read out a report in type which is nearly 20 pages long.

Mr. FAZLUR RAHMAN: Will the Hon'ble Minister be pleased to state if there were any Muslim sufferers?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: There must have been some; I do not know.

Mr. FAZLUR RAHMAN: In view of his last answer, will the Hon'ble Minister be pleased to state if any amount was paid to these Muslim sufferers?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I shall make an enquiry through the District Magistrate if my friend gives notice.

Mr. ABDUR RAHMAN SIDDIQI: Will the Hon'ble Minister be pleased to circulate this 20-page long statement, which he has just made mention of, to us, the members of this Legislature?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: No, Sir.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Deputy Speaker, the Hon'ble Minister said that he was ready to read out a statement but for the length of the document. I submit, if it is not a confidential document, he should make that statement available to us. I appeal through you, Sir, in order to save the time of the House, to have that statement circulated amongst us.

Mr. DEPUTY SPEAKER: I will take this as a notice from you.

Mr. ABDUR RAHMAN SIDDIQI: Sir, the Hon'ble Minister in his verbal answer said that he would have read it out but for the fact that it covered 20 long pages. That signifies that he has no objection to read it if he is allowed time. Now, I appeal to you, Sir, that you, as our Deputy Speaker, will induce the Hon'ble Minister to circulate that statement amongst us.

Mr. DEPUTY SPEAKER: As far as I remember, what he has said is that it is not possible for him to give an answer from a long report; he is prepared to give that answer when he will be able to go through the report once again, provided it is not of a confidential nature.

Mr. ABDUR RAHMAN SIDDIQI: Sir, with all respect to the Chair, I may say that the Hon'ble Minister did not say that. If you refer to his statement you will find that his whole object was to save time, and, therefore, instead of reading such a long document running over 20 pages we want it to be made available to us.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, in answering a supplementary question memories sometimes fail, but the official report i here and it may be read out to you.

Khan Bahadur MOHAMMED ALI: Sir, I put a supplementary questio enquiring as to the manner in which an assessment of the damage was don by Government officers and the principle on which loans for relief wer granted by the Government. In answer to that the Hon'ble Minister say that he has got a typed statement of 20 pages and, of course, as he wante to save the time of the House, he was not going to read it out. I submi that the answer which he was going to make should be laid on the table otherwise no answer is available to my supplementary question. Sir, if th Hon'ble Minister now retracts from that position, it will be a sheer breac of the privilege of the members of the House.

Mr. DEPUTY SPEAKER: It is not my business to force the Hon'bl Minister to give a particular answer. But if you want a particular answer you must give notice.

Mr. ABDUR RAHMAN SIDDIQI: Sir, I do not want you to force any one to answer a question. I respectfully submit that the Hon'ble Minister of his own accord volunteered to read out a statement, but which he did no like to with a view to save time, and which he is now withdrawing. Now what I want is, it should be circulated. It is a legitimate desire and I think you should command him to come out with the statement and publish it.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, may I refe you to rule 26 (*vii*) of the Bengal Legislative Assembly Procedure Rule which says that "it must not be of excessive length", and so here in this cas I do not want to give an answer because it would be of excessive length and I wanted to save the time of the House. But I can assure the Hous that I am prepared to take the House into confidence with regard to thi supplementary question assuming that the report is not confidential.

Mr. ATUL KRISHNA GHOSE: May I through you, Sir, appeal to th Minister in charge that if he gives a lengthy reply with regard to the principle applied in giving damages and compensations, he should be in a position to give us all the details as to what extent the Hindus suffered—what was the amount of money, and to what extent the Muslims suffered?

Mr. DEPUTY SPEAKER: What is your question?

Mr. ATUL KRISHNA GHOSE: Khan Bahadur Mohammed Ali asked the question——

Mr. DEPUTY SPEAKER: I will not allow you to make any statement at this stage. The Hon'ble Minister has made his position clear. He has said that if the honourable member who put the question insists on an answer he can give that answer.

Communal Harmony Fund.

*65. **Mr. Khwaja SHAHABUDDIN:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*i*) the amount that has been spent up till the 31st August 1942, out of Rs.1,00,000 allotted for the purpose of promoting communal harmony in the Province;

(*ii*) how it has been spent; and

(*iii*) the manner and the channel through which payments have been made?

(*b*) Will the Hon'ble Minister be pleased to state whether any money out of it has been spent for subsidising *Navajug*, and other newspapers, magazines or journals?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Dr. Syamaprasad Mookerjee): (*a*) (*i*) Nil.

(*ii*), (*iii*) and (*b*) Do not arise.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if any scheme has been drawn up for expenditure for the purpose of promoting communal harmony?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: It is under preparation.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if there is any likelihood of any expenditure during the current fiancial year?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: There is every likelihood.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Steps for "grow more food" campaign.

31. **Dr. ABDUL MOTALEB MALIK:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) what steps, if any, have the Government taken in connection with the "grow more food" campaign; and

(*ii*) whether there has been any increase in the acreage of rice grown in Bengal this year?

(*b*) If the answer to (*ii*) is in the affirmative, what is the approximate increase of acreage since last year?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) Comprehensive schemes of propaganda for the increase of food production including the importance of using the best seed; the importance of manure and the methods of increasing the supply of manure; the purchase and resale of improved paddy seed; the purchase and resale of improved *rabi* seed; the purchase and resale of vegetable and potato seed; the obtaining of transport facilities for the movement of various kinds of seed; the improvement of irrigation by the re-excavation of tanks; and the granting of agricultural loans where necessary for assisting food production have been taken up by Government.

(*ii*) Owing to late monsoon, transplantation of *aman* paddies in most of the districts has begun very late and the work of transplantation is still going on. It cannot, therefore, be definitely said whether there will be any increase in the acreage this year.

(*b*) The question does not arise.

STARRED QUESTIONS

(to which oral answers were given)

Application of the Communal Ratio Rules for appointment of officers of Jute Regulation Department.

*53. **Mr. DHANANJOY ROY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the Table a statement showing, district by district,—

(*i*) the total number of—

(1) Assistant Controllers,

(2) Chief Inspectors,

(3) Inspectors,

(4) Assistant Inspectors, and

(5) Propaganda Officers

in the Jute Regulation Department, appointed up to date since its creation; and

(*ii*) the minimum qualifications required for candidates to be eligible for appointment to the posts referred to in clause (*i*)?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether Service Ratio Rules have been observed in appointing persons referred to in (*a*) (*i*); and

(*ii*) if not, the reasons thereof?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) A statement showing the total number of appointments made in the Jute Regulation Department during the years 1940, 1941 and 1942 is placed on the Library Table. The appointments were made on a provincial basis and it is not possible to show figures district by district.

(*ii*) Four out of five posts of Assistant Controllers are held by Sub-Deputy Collectors on deputation. The fifth one is held by Mr. Khwaja Ahsanullah who acted as Chief Inspector in 1939 and was promoted to the rank of Assistant Controller in 1940 on account of his good work.

The officers appointed in other posts are mostly graduates with the exception of a small percentage who were reappointed in 1940 on the basis of good work done in 1939 in the Jute Registration Department.

(*b*) (*i*) Yes; as far as could be done without serious detriment to the Department. The statement laid on the Library Table will show the position. The slight shortage in the number of Scheduled Caste men has been found extremely difficult to make up in spite of the fact that in their case the general minimum basic condition of being a graduate had often to be waived.

(*ii*) Does not arise.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state the academic qualification of Mr. Khwaja Ahsanullah?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Khan Bahadur MOHAMMED ALI: On a point of privilege, Sir. The question put up by a member of this House is with regard to the qualifications of Mr. Khwaja Ahsanullah. I submit that he is a brother of the Hon'ble Minister, and he should be the first man without asking for notice to be able to say what are the qualifications of his own brother.

Mr. DEPUTY SPEAKER: Order, order. This is not a question of privilege.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether Mr. Khwaja Ahsanullah is not his younger brother?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is, Sir, a statement of fact which I cannot deny.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state who appointed him and who promoted him to the rank of Assistant Controller?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It was not done in the time when I was Minister in charge of Agriculture.

Mr. SYED ABDUL MAJID: In view of his reply that this gentleman Mr. Khwaja Ahsanullah is his younger brother, is the Hon'ble Minister now in a position to say what are his academic qualifications?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already stated that I want notice. Not only is he my younger brother but he is related to many of the gentlemen of the Opposition, and there are many relations of the Opposition members who were appointed in the department.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether the incumbent is a cousin of Sir Nazimuddin?

Mr. DEPUTY SPEAKER: Order, order. I hope you will not go into personalities.

Mr. ABDUR RAHMAN SIDDIQI: Is an Hon'ble Minister entitled to take shelter behind the actions of his predecessor in office because the convention of Government and Parliament both is that unless he repudiates a certain policy——

Mr. DEPUTY SPEAKER: What is your question?

Mr. ABDUR RAHMAN SIDDIQI: There is a continuity of policy, and it is not given to a Minister——

Mr. DEPUTY SPEAKER: Please put a definite question.

Mr. ABDUR RAHMAN SIDDIQI: Is a Minister entitled to say, "I am not responsible because my predecessor did it"?

Mr. DEPUTY SPEAKER: That is a matter of too great importance to be decided by me today. If he has no responsibility, he is entitled to say, "I did not do this; the responsibility does not lie on me." But if you ask my decision you will get it tomorrow.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state the name of the Minister who appointed Mr. Khwaja Ahsanullah?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want to make my statement clear. Mr. Khwaja Ahsanullah was first appointed as Chief Inspector when I was Minister in charge of Agriculture, but he was promoted from Chief Inspector to Assistant Controller in the time of the ex-Minister of Agriculture, Mr. Tamizuddin Khan.

Khan Sahib HAMIDUDDIN AHMAD: Will the Hon'ble Minister be pleased to state if Mr. Khwaja Ahsanullah has been posted to Dacca after the Hon'ble Nawab Bahadur has taken over charge of the department?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Postings are not done by Hon'ble Ministers.

Mr. ATUL KRISHNA GHOSE: On a point of order. May I know through you, Sir, by allowing this sort of questions whether the standard and dignity of the House will not be lowered?

Mr. DEPUTY SPEAKER: Order, order. I cannot allow you to put such questions.

Mr. RASIK LAL BISWAS: The Scheduled Castes were not appointed in the Jute Regulation Department because there were not sufficient qualified candidates. In view of the qualifications laid down in the case of Mr. Khwaja Ahsanullah, Assistant Controller of Jute Regulation, will the Hon'ble Minister be now pleased to state whether he will make up the deficiency in the case of the Scheduled Castes in that department?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already stated that for the Scheduled Castes we have had to lower the qualifications even below the minimum qualifications which are required for Mussalmans.

Shops selected by Government for the sale of rice in Calcutta.

***54. Mr. M. FARHAD RAZA CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

(*i*) the total number of shops selected by Government for sale of rice in the city of Calcutta; and

(*ii*) the number of such shops belonging to—

(1) Muslims,

(2) Hindus, and

(3) the Scheduled Caste communities?

(*b*) Will the Hon'ble Minister be pleased to state the method or the procedure adopted in the selection of such shops?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*)(*i*) Seventy up to 16th September, 1942.

(*ii*) (1) Thirty-one.

(2) and (3) Thirty-nine. The exact number of shops belonging to Scheduled Caste owners is not readily available.

(*b*) The shops were selected by Inspectors of Prices attached to the Civil Supply Directorate under the supervision of their superior officers. Well-known existing shops in or near markets or in *bustees* and poor quarters were selected. Some Muslim *mahalla sardars* have been selected failing suitable Muslim shops.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the amount or quantity of rice allotted to the shops as mentioned in answers (*a*) (*ii*) (*1*) and (*a*) (*ii*) (*2*) and (*3*)?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: 2,500 maunds.

Khan Bahadur MOHAMMED ALI: To each shop?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No, that is the total quantity.

Khan Bahadur MOHAMMED ALI: But I wanted to know the allotment to the 31 shops mentioned in answer (*a*) (*ii*) (*1*) and the allotment to the shops metioned in answer (*a*) (*ii*) (*2*) and (*3*).

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have not got the figures now, but I may take it as a notice and supply him the information later.

Babu KSHETRA NATH SINGHA: In the case of the non-availability of Scheduled Caste owners, will the Hon'ble Minister be pleased to state to whom the quota fixed for the Scheduled Castes goes?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is defined in the Communal Ratio Rules.

UNSTARRED QUESTION

(answer to which was laid on the table)

A.R.P. Services.

26. Mr. ABDULLA-AL-MAHMOOD: Will the Hon'ble Minister in charge of the Civil Defence Department be pleased to state the number of appointments made in the Province in the following services:—

(*a*) Wardens;
(*b*) Casualty organisations;
(*c*) Rescue service;
(*d*) Messenger service; and
(*e*) Street Fire Parties service?

MINISTER in charge of the CIVIL DEFENCE DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): A statement is laid on the Table.

Statement referred to in reply to unstarred question No. 26, showing recruitment of A. R. P. Personnel.

	Wardens.	Messengers.	Casualty Service.				Rescue service.	Street Fire Party or House Protection Fire Party.
	Total recruited to date.	Total recruited to date.	Ambulance. Total recruited.	Sitting cars. Total recruited.	First Aid Post. Total recruited.	First aid parties. Total recruited.	Total recruited.	Total recruited.
Calcutta ..	4,557	546	252	66	759	712	1,028	53,106
Howrah ..	3,355	362	44	24	287	350	234	10,080
24-Parganas ..	4,760	553	104	21	305	329	321	10,791
Hooghly ..	1,871	345	14	23	122	131	288	3,208
Barakar ..	71	14	2	1	14	10	11	69
Asansol ..	372	53	13	7	45	84	68	833
Raniganj ..	184	41	9	2	30	31	22	552
Burdwan ..	376	78	8	3	45	36	52	399
Ondal ..	7	8	1	1	2	(a)	8	Not reported.
Chittagong ..	643	68	16	8	60	100	66	1,050
Khulna ..	206	32	4	(b)	30	27	31	540
Dacca ..	1,804	243	52	15	112	208	205	1,500
Narayanganj ..	253	42	8	1	45	41	64	1,260
Mymensingh ..	368	47	10	3	45	50	56	656
Chandpur ..	159	22	1	2	15	19	35	486
Darjeeling ..	104	21	2	1	15	15	33	136

Khargpur	258	42	10	4	81	45	44	986
*Midnapore	309	Not reported	3	2	2	16	31	1
*Noakhali	148	39	4	1	30	20	22	Not reported.
*Comilla	116	51	6	3	36	20	33	156
*Feni	19	14	1	Not reported	8	10	6	Not reported.
*Jessore	10	14	Not reported	Ditto	8	8	4	1
*Bakarganj	98	Not reported	3	Ditto	15	24	Not reported	Not reported.
*Saidpur	103	55	Not reported	Ditto	Not reported	Not reported	Ditto	273

N. B.—(1) These figures refer only to the rank and file and do not include the higher ranks, e.g., Chief Air Raid Wardens, First Aid Party Group Leaders, etc. In the recruitment figure of Calcutta Wardens, the Staff Officers are included.

(2) Street Fire Party Service has been organised only in Howrah, Hooghly, Raniganj, Darjeeling, Dacca and Khargpur. In other areas House Protection Fire Parties have been organised.

*In these areas A. R. P. measures were authorised in May, 1942.

(*a*) Railway authorities will provide for this.

(*b*) Merged in the figure shown in column 6 (First Aid Party).

Message.

The Secretary then read out the following Message received from the Bengal Legislative Council, namely,—

"That the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, was passed by the Bengal Legislative Council with amendments at its meeting held on the 24th September, 1942, and that the concurrence of the Assembly be asked to the amendments made in the Bill by the Council."

Motion for leave of absence.

Mr. ATUL CHANDRA SEN: Sir, I beg to move that this Assembly do permit Mr. Sarat Chandra Bose representing Calcutta South (General) Constituency to be absent for the period from the 12th December, 1941, till the end of the present Session for which he finds that he is unable to attend meetings of the Assembly.

There being no objection, the motion was agreed to.

Begal Village Self-Government (Amedment) Bill, 1939.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I beg to ask for leave for extension of time for the submission of the Select Committee report on the Bengal Village Self-Government (Amendment) Bill, 1939, introduced by Maulvi Muhammad Israil.

Mr. K. SHAHABUDDIN: On a point of information, Sir. Are the Select Committees ever going to submit their reports?

The Hon'ble Mr. SANTOSH KUMAR BASU: I cannot speak for other Select Committees, but I am asking for extension of time for submission of the Select Committee report on this Bill till the 31st December, 1942. The Committee had one sitting and decided to postpone their meetings till November.

Mr. ABDUR RAHMAN SIDDIQI: Sir, are we allowed to suggest amendments on this motion? I would like to put the words "*sine die*" instead of "31st December, 1942."

The Hon'ble Mr. SANTOSH KUMAR BASU: If Mr. Israil agrees, I will accept the amendment.

(Mr. Deputy Speaker was about to put the motion before the House.)

Mr. ABDUR RAHMAN SIDDIQI: What about my amendment, Sir?

Mr. DEPUTY SPEAKER: That is disallowed. (Laughter.)

The motion of the Hon'ble Mr. Santosh Kumar Basu that leave be granted for extension of time for submission of the Select Committee report on the Bengal Village Self-Government (Amendment) Bill, 1939, till the 31st December, 1942, was then put and agreed to.

Incident at Tangail.

Mr. CHARU CHANDRA ROY: May I ask the Hon'ble Home Minister through you, Sir, whether he is aware that 17 boats full of paddy were looted in the Tangail subdivision and the people are crying on account of starvation?

Mr. DEPUTY SPEAKER: You ought to have given notice of the question to me. I am taken by surprise by your question. I cannot ask the Hon'ble Minister to give you that information now.

A. R. P. appointments.

Maulvi ABUL HOSAIN AHMED: Sir, may I know from the Hon'ble Chief Minister whether instructions have been issued to the recruiting authorities of A. R. P. appointments to observe the Communal Ratio Rules? The Hon'ble Dr. Mookerjee the other day made it very clear that henceforth future appointments would be thrown open to the Muslim and Scheduled Caste candidates.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, in order to secure a sufficient number of appointments for Muslims and Scheduled Castes in the A. R. P. Services as I announced in the Assembly the other day, I have issued orders to all appointing authorities to hold up all appointments for the present, and we are discussing ways and means of implementing that decision of the Cabinet.

Maulvi ABUL HOSAIN AHMED: Arising out of this there is one submission I would like to make. Will the Hon'ble Chief Minister be pleased to ask the appointing authorities to consult the Employment Adviser to Government in this respect?

The Hon'ble Mr. A. K. FAZLUL HUQ: That direction has already been given. I may add that in this matter we will welcome any assistance that may be given by members of the Opposition. We want a large number of candidates to be sent——(Interruptions.) If you have not got patience, please do not put a question. Sir, I want members of the Opposition as well as of other parties to send to the Employment Adviser names of Muslim and Scheduled Caste candidates who in their opinion are fit and eligible for the appointments. I do not guarantee that all names that will be sent up will be given appointments, but they will have a big field of choice, and it

will not be possible for them to say later that Muslim and Scheduled Caste candidates are not forthcoming. The Opposition can render very helpful assistance to the Government in this respect, and I appeal to them to forget for the moment that we are sitting on different sides of the House and to co-operate and see that justice is done to the Muslim and Scheduled Caste candidates.

Mr. K. SHAHABUDDIN: Sir, the other day we were told by the Hon'ble Chief Minister that at least one thousand additional appointments in the A. R. P. organisation were going to be made and that cent. per cent. of these appointments would go to the Muslim and Scheduled Caste candidates. The Hon'ble Chief Minister always changes statements. He now says that he has issued orders to the appointing authorities to hold up vacancies. That means a few vacancies here and there. We knew that the statement was never intended to be acted upon. Then, Sir, the Chief Minister wants the co-operation of the Opposition. Sir, our suggestion is: let all appointments be properly advertised and let the appointments be made on merits.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I knew also that members of the Opposition are making these remarks in order to get notoriety. I knew all that, but I have done what I had promised. I had a conference yesterday with Mr. Hands, the Chief Secretary, Mr. Martyn and other appointing authorities, and I was told that about 200 appointments were going to be made immediately. The ways and means by which this policy of appointment can be carried out throughout the province require consideration. Meanwhile, it is felt that if appointments are not held up for some time, it may be that by the time our instructions go, many of the appointments will be filled up. At the same time, we are trying to expedite the matter, and my friends of the Opposition need have no apprehension that if they offer any advice, it will not be thankfully accepted.

As regards advertisements (Maulvi AHMED ALI MRIDHA interrupted.)—I hope Mr. Mridha will please have patience and listen to what I say before he comments—the appointing authorities have been told to advertise and advertise most extensively and if any other method is suggested, that method also will be adopted. I am appealing for co-operation. If that co-operation comes, we will welcome it, but if the co-operation does not come, we will, according to our light, go on doing our duty.

GOVERNMENT BILLS.

Bengal (Rural) Primary Education (Amendment) Bill, 1941.

Mr. DEPUTY SPEAKER: The House will now resume further discussion on the Bengal (Rural) Primary Education (Amendment) Bill, 1941.

Am I to take it that Mr. Mirza Abdul Hafiz and Maulvi Muhammad Israil are going to withdraw their motions?

Mr. MIRZA ABDUL HAFIZ: Yes, Sir. I beg leave of the House to withdraw my motion.

Maulvi MUHAMMAD ISRAIL: Yes, Sir. I also beg leave of the House to withdraw my motion.

Mr. DEPUTY SPEAKER: Is there any objection to leave being given to withdraw these motions?

(No objection was raised.)

The motion of Mr. Mirza Abdul Hafiz that clause 2 (*1*) be omitted was then, by leave of the House, withdrawn.

The motion of Maulvi Muhammad Israil that clause 2 (*1*) (*a*) be omitted was then, by leave of the House, withdrawn.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that for sub-clause (*2*) of clause 2, the following sub-caluse be substituted, namely:—

"(*2*) after sub-section (*2*) the following sub-section shall be added, namely:—

'(*3*) The Director of Public Instruction, Bengal, shall be *ex-officio* Chairman of the Comimttee, and there shall be a Secretary of the Committee who shall for the first term of five years be appointed by the Provincial Government from amongst the elected members of the Board and who shall thereafter be elected in the prescribed manner by the members of the Committee from amongst themselves.' "

I don't think, Sir, that this amendment calls for any further explanation. It has been brought forward only to meet the wishes of the Opposition and other members of our party that the Secretary should be appointed for the first term of five years and thereafter he shall be elected from amongst themselves.

The motion was then put and agreed to.

The motion that clause 2 as amended stand part of the Bill was then put and agreed to.

Clause 3.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that in clause 3, sub-clauses (*1*) and (*2*) be omitted.

The motion was then put and agreed to.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that for sub-clause (*4*) of clause 3, the following sub-clause be substituted namely:—

"(*4*) after clause (*h*) the following clause be inserted, namely:—

'(*hh*) in addition to the members referred to in clause (*h*) two members who shall belong to the Scheduled Castes to be appointed by the Provincial Government, and' ".

The motion was put and agreed to.

The motion that clause 3 as amended stand part of the Bill was then put and agreed to.

Clause 4.

The motion that clause 4 stand part of the Bill was then put and agreed to.

Clauses 5, 6 and 7.

The motion that clauses 5, 6 and 7 stand part of the Bill was then put and agreed to.

Clause 8.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that in sub-clause (*3*) of clause 8 in the proposed caluse (*i*) of sub-section (*2*) of section 66, after the words "election of members" in the first place where they occur the words "and the Secretary" be inserted.

The motion was put and agreed to.

The motion that clause 8 as amended stand part of the Bill was then put and agreed to.

Preamble.

The motion that the preamble stand part of the Bill was then put and agreed to.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that the Bengal (Rural) Primary Education (Amendment) Bill, 1941, as settled in the Assembly, be passed.

The motion was put and agreed to.

The Workmen's Compensation (Bengal Amendment) Bill, 1941.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I beg to move that the Workmen's Compensation (Bengal Amendment) Bill, 1941, as passed by the Bengal Legislative Council, be continued under proviso to rule 19(*2*) of the Bengal Legislative Assembly Procedure Rules.

The motion was put and agreed to.

I beg also to move that the Workmen's Compensation (Bengal Amendment) Bill, 1941, as passed by the Council, be taken into consideration.

In doing so, Sir, I think it is necessary to give the House an idea of the provisions which we seek incorporated in this Bill. This Bill was introduced in the Monsoon Session of the Legislative Council last year. It was referred to a Select Committee in which there was considerable discussion and consequent revision so that in the Council there were only one or two amendments which have been incorporated in the Bill. The Bill was to be taken up in the Assembly in the November Session, but on account of difficulties and the uncertainty of the situation that could not be done.

Now the main feature of the Bill is that it amends the Workmen's Compensation Act in its application to Bengal and provides for the appointment of medical referees to whom any medical question in dispute between employers and workmen may be referred by the Commissioner for Workmen's Compensation for a report and whose report shall ordinarily be binding on both parties. With the increase in scope of the Workmen's Compensation Act, numerous cases have occurred before the Commissioner for Workmen's Compensation in which various points have arisen, the principal points being the nature and extent of permanent disablement of the worker, the duration of temporary disablement, whether the incapacity, temporary or permanent, is due to personal injury by accident, and whether the workman has contracted any occupational disease covered by Schedule III of the Act.

The usual practice has been that both employers and workmen have called in private medical practitioners to give verbal evidence on the points in dispute and the evidence of medical witnesses has had to be recorded as nearly as may be——

Mr. DEPUTY SPEAKER: Mr. Basu, will you take long?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think I shall have to take some time as the Bill will not be taken to a Select Committee. I must explain to the House the various provisions of the Bill.

Mr. DEPUTY SPEAKER: I hope you will be as brief as possible.

Mr. TAMIZUDDIN KHAN: But we have no objection to the Bill.

Khwaja Sir NAZIMUDDIN: Besides there are no amendments, Sir.

The Hon'ble Mr. SANTOSH KUMAR BASU: Do you want me, Sir, to move the motion without any speech at all? I wish to place before the House, if you will allow me, some salient features of the Bill.

Mr. DEPUTY SPEAKER: I would ask you to be as brief as possible.

The Hon'ble Mr. SANTOSH KUMAR BASU: The Bill is intended to do away with this practice of calling in private medical practitioners by

both employers and workmen to give verbal evidence in Court on the points in dispute and the necessity of engaging medical assessors by the Commissioner for Workmen's Compensation. Not only it is expected that this measure will considerably decrease expenditure on both sides, but also shorten Workmen's Compensation proceedings.

The Bill follows similar legislation in England with modifications suitable to meet the conditions in this country.

Mr. DEPUTY SPEAKER: Mr. Basu, you have said that the Bill was not referred to the Select Committee. This is not correct: the Bill was referred to a Select Committee.

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, it was sent to a Select Committee of the Upper House, but not here.

In England it is provided that where the parties have agreed to the appointment of a medical referee a certificate furnished by such a medical officer shall be conclusive evidence as to the matter so certified. The reference is made out of Court—that means by means of a written report—and the parties are not put to the inconvenience and expense entailed by formal proceedings in Court. Application by a single party to refer the dispute to a medical referee is permissible except where the case is of exceptional difficulty——

Khwaja Sir NAZIMUDDIN: With your permission, Sir, may I, at this stage, intervene in the debate? There was an arrangement by which Government gave us to understand that these two Bills will not take more than five or ten minutes and that these two days will be available to us for discussion on the motions on the statement of the Hon'ble the Chief Minister. But in spite of the fact that there are no amendments and that there is no opposition, I do not understand why the time of the House will be utilised in this fashion. I appeal to you, Sir, to see that at least the arrangement that has been agreed to is adhered to.

The Hon'ble Mr. SANTOSH KUMAR BASU: I submit, Sir, that the Opposition is correct when it says that it is a non-contentious Bill, but Government has got to justify its position before the outside world. It is a Bill concerning the employer and the worker and from that point of view it is necessary for us to justify the provisions of the Bill which I have been now mentioning. The worker is not represented here today, and it is necessary on the part of Government that its position should be absolutely clarified and placed before the House as well as before the outside world. As regards the question of arrangement referred to by the Leader of the Opposition, I do not know if any such arrangement has been arrived at. I may also point out that the House today had to be adjourned for want of a quorum because the members of the Opposition were not found in their seats including the Leader of the Opposition.

Mr. DEPUTY SPEAKER: May I point out that on a Bill which was referred to a Select Committee and on which there is no amendment now before the House the Hon'ble Minister, I hope, will be as brief as possible.

The Hon'ble Mr. SANTOSH KUMAR BASU: I shall deal only with the salient features of the Bill. Application by a single party to refer the dispute to a medical referee is permissible, where the case is of exceptional difficulty or for any other sufficient reason the Judge is of opinion that the reference should be refused. In the Bill reference of a dispute to medical referees ordinarily takes place only on joint application of both parties. Application by a single party is not ruled out, but if the Commissioner is of opinion that the question is one which ought not on account of exceptional difficulty of the case or for any other sufficient reason be referred to a medical referee, he may after recording his reasons in writing reject the application.

The report of the medical referee is ordinarily conclusive, but the Commissioner can in particular proceedings, either of his own motion or on application being made to him by either party, allow the party to adduce further evidence in the case if he deems it expedient in the interest of justice to do so.

Now, Sir, power has been taken under the Bill to prepare a list of qualified medical practitioners who may be appointed medical referees. The list is to be published in the official gazette.

Reference to a particular medical referee is within the discretion of the Commissioner, except however where both parties agree that the dispute be referred to a particular medical referee in the list, the Commissioner shall refer the matter to him.

Power has been taken for determining the fees and expenses payable in connection with references of medical questions to medical referees, and it is not expected that there would be any extra cost involved in the administration of this Bill. The parties themselves will bear the cost.

Then, there are possible criticisms against the Bill which we are prepared to meet, but so far as the Opposition is concerned there is no criticism offered here although that does not debar the Opposition from creating an opposition and agitation outside. Now, Sir, I would, therefore, mainly deal with the criticisms and objections and offer my answers. The first objection that may be put forward is that the scope of the Bill does not extend to disputes regarding the death of a workman. As regards death, it was excluded because it was considered that in such a case the ordinary procedure of the Court should apply which means that the case in full should be heard in Court. The matter was fully debated in the Select Committee and there is no adequate reason to depart from the views taken there.

Then the second point is that the application by a single party should not be allowed. Application of a single party has been allowed, but at the same time discretion has been left to Court to consider whether a single party application should be allowed or not.

Then, Sir, the third point is that the report of the medical referee should not be regarded as conclusive. Here actually there has been a departure from the English practice. The departure was made in view of the general susceptibilities of the litigant public. The relevant provision in the Bill is actually a compromise. The report of the medical referee is ordinarily binding, but the Commissioner has been given the power in special circumstances either of his own motion or on the application of either party to allow further evidence to be adduced if he considers that it is in the interest of justice to do so. The cricitism on the point is entirely misconceived.

Sir, the fourth point is that parties should be competent to object to particular referees. Now, that was carefully considered but that was rejected. Objections to it are that it casts reflections on the medical referees, that it will mean endless repetition of applications, that in any case the Court can appoint any one it considers best and finally that the object is much better secured by the proviso of the section.

Then the last objection which I am to meet is that Government have given no indication in the Bill regarding the manner in which the list of medical referees shall be prepared. Now, Sir, with regard to that last objection, my submission would be this. It was suggested at one time that the employers and workmen should be invited to submit names of qualified medical practitioners through their respective associations. The suggestion was carefully considered, but rejected. It was thought that such a procedure would tend to identify different doctors with different groups and the object of securing an impartial opinion would not be so achieved.

Now, Sir, the question of framing legislation on the subject on an all-India basis was considered again at the Labour Conference at Delhi. Though a decision was not arrived at, that should not deter the province of Bengal from going ahead with a piece of legislation which is considered necessary so far as this province is concerned.

The motion of the Hon'ble Mr. Santosh Kumar Basu that the Workmen's Compensation (Bengal Amendment) Bill, 1941, as passed by the Bengal Legislative Council, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 stand part of the Bill was then put and agreed to.

Clauses 2, 3, 4 and 5.

The question that clauses 2, 3, 4 and 5 stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble stand part of the Bill was then put and agreed to.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I beg to move that the Workmen's Compensation (Bengal Amendment) Bill, 1941, as settled in the Assembly, be passed.

The motion was then put and agreed to.

Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

Mr. ABDULLA-AL MAHMOOD: Sir, before you proceed to other business, may I draw your attention to the fact that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as passed by the Council, has been circulated today together with some amendments, and we have been asked to put in our amendments by 3 p.m. today.

Sir, this is a very important Bill, and I think all members of the House will agree that the time suggested is very short.

Mr. DEPUTY SPEAKER: That is coming tomorrow. The Bill was passed by this House and from this House it went to the other House. They have made slight alterations, and I think there will be no amendment from this House. So, I have fixed tomorrow for this Bill, and I hope you will be able to submit your amendments, if any, by today.

Mr. ABDULLA-AL MAHMOOD: Sir, will you kindly accept amendments also tomorrow before the question hour?

Mr. DEPUTY SPEAKER: In that case I will not be able to circulate them. It would be better if you give them up to 4 o'clock today.

SPECIAL MOTION.

On Chief Minister's Statement.

Mr. Khwaja SHAHABUDDIN: Sir, I beg to move that this Assembly is of opinion that the Hon'ble the Chief Minister's statement in regard to the incidents in the Berhampore and the Dacca Jails is extremely meagre and unsatisfactory, and that immediate steps should be taken to appoint a non-official Committee consisting of the members of the different parties in the Legislature to enquire into those incidents and to report within a week.

Sir, my resolution is very simple and straightforward. It wants the appointment of an Enquiry Committee into the serious and grave incidents which took place in the Berhampore and the Dacca Jails. The gravity of the matter is apparent from the fact that in the Dacca Jail alone over 30 persons were killed and over 136 persons were seriously wounded. The figure of the Berhampore Jail is not known, but I am informed that it was, if not more, at least equal to that of the Dacca figure.

Sir, the Government communiqué, dated the 4th September, bearing the news of the Dacca incident, shocked the public. I immediately, in my representative capacity as the President of the Dacca District Muslim League as well as the Chief Whip of the Muslim League Parliamentary Party, issued a statement through the Press demanding the appointment of an impartial and independent Enquiry Committee. I maintain that I correctly voiced the public feeling on the subject, and I had the unanimous support of every section of the people of Bengal in making the demand for the appointment of an impartial and independent Enquiry Committee. In my statement I also promised the public that in case Government did not concede this demand, the Muslim League Parliamentary Party would take steps to raise this matter on the floor of the House. Accordingly, I gave notice of an adjournment motion on the subject and sought your permission to move it on the 15th instant. You, Sir, advised me to wait for the statement of the Hon'ble Chief Minister and after that when arrangements were made between Government and the Opposition with your consent that special motions would be allowed on the statement of the Chief Minister, the Muslim League Parliamentary Party decided to include this motion as one of the most important subjects to be brought up before the House.

Sir, eight or ten days after the Government communiqué and my statement, another communiqué was issued which informed the public that the Inspector-General of Prisons and the Commissioner of the Dacca Division were appointed to enquire into the incidents of the Dacca Jail. I maintain, Sir, that the appointment of these two gentlemen did not in the remotest manner satisfy the public demand. I have nothing to say about these officers as private individuals. I am only concerned with their official position. One of them is the Inspector-General of Prisons who is the head of the jail administration in the province and is directly interested in the good name of that institution and of the officers administering that institution. The other gentleman is the Commissioner of the Division. The institution is situated in his division and, as a matter of fact, it is in the same city which is the headquarters of the Commissioner. The institution comes under his charge and he is also interested in the institution. It may be argued that simply because these officers were connected with institutions, they should not be precluded from exercising impartial judgment. I admit, Sir, that ordinarily it should not be so, but unfortunately in our country the administration is based on the tradition of prestige. It is considered that the whole administration is maintained by preserving the prestige of the officers. There are hundreds of instances when justice has been sacrificed at the altar of the prestige of the officers. I would only cite one instance—that infamous incident in that tragic occurrence of Jalianwalabagh—the error of judgment, and I will leave it at that. Apart from this question of prestige, there are other very strong and cogent reasons why the public cannot place any confidence and reliance on the enquiry held by these officers. Sir, the Government communiqué of the 4th September did not confine itself to giving information about the incident, but deliberately went out of its way to prejudice the public mind

by introducing the word "*goonda*" and also adding that most of the victims were non-Bengalis, as if that makes any difference. On the 5th September, Sir, a Government press note came out and told the public that Government were now in possession of certain additional details regarding the shooting of professional and habitual criminal security prisoners. Mark the words, "professional and habitual criminal security prisoners." I submit, Sir, that the Government communiqué sounds like an unscrupulous prosecution lawyer's dishonest advocacy, prejudicing the public mind. Sir, Government have indicated their mind; they are out to justify the action of their officers and not only that, they have attempted to prejudice the mind of the public by questionable methods. Therefore, Sir, it is not possible for any person to place any reliance on the enquiry held by the officers of Government. Sir, I would like to make it clear that I am not one of those who want an Enquiry Committee to be appointed on each and every occasion whenever the police have to open fire to quell the disturbances and maintain law and order. I submit, Sir, that there must be distinction between incidents and incidents, and I find that in this I am not alone. My friend Mr. Atul Chandra Sen and other members of his party by their conduct have shown that they do also make this distinction. While my friend Mr. Atul Chandra Sen has tabled a motion demanding setting up of an Enquiry Committee to enquire into the incident of the Dacca Jail shooting, neither he nor any member of his party has made any demand for the appointment or setting up of an Enquiry Committee into the recent shootings in Calcutta or in other places in Bengal. Sir, I confess that I know very little about these security prisoners. As a matter of fact, very few of the public, I believe, know anything about them, as far as my information goes. Sir, I shall welcome correct information if the Hon'ble Chief Minister will give us while replying to this debate. I do not know who is going to reply to this debate—either the Chief Minister or the *de facto* Chief Minister. Whoever he may be, I hope he will try to supply us with correct information regarding this jail incident. Sir, as far as I know these are the people who are not tried in any Court and who in the opinion of the authorities may prove dangerous elements at the time of commotion and trouble which are apprehended. Therefore, they are deprived of their liberty as a precautionary measure to protect the peaceful and law-abiding people. It should be noted that none of them was found guilty of breaking the law or convicted by any Court of law. Just in the same way a large number of people have been arrested and detained who in the opinion of the authorities may prove dangerous as far as the political life of the country is concerned. They were arrested on the basis of their past records, but none of them was found guilty of actually breaking the law nor have they been tried in any Court. I do not question the wisdom and the necessity of depriving such men of their liberty if the authorities are honestly convinced that their liberty may prove a menace to the political and civil life of the country. In view of the extraordinary condition prevailing in the country, the authorities may be justified to take certain steps to deprive these people of their liberty, but what I want to say is that they have no right to ill-treat them. The whole trouble is true to their form and record. The Ministry have failed

to take note of the gravity of the situation, in spite of the fact that the have had their warning. Just as they failed, totally failed, completel failed, to take timely, proper and adequate steps in the matter of appoin ments in the A.R.P. Services, solving the food problem, and the jut problem, so also in the matter of these security prisoners they have bee guilty of criminal neglect and inaction. Sir, at least the Berhampor incident ought to have served as a warning to the Ministry. They ough to have realised that there was something seriously wrong somewhere. Th details of the shooting in the Berhampore Jail are not known to the public but according to my information, the number of people dead was not les than what took place in Dacca. Sir, people do not face the bullets an give their lives just for the sake of fun. The Hon'ble the Chief Ministe in his statement very cunningly avoided to supply any information o explain the policy of Government regarding any important and vita questions. Dealing with the incident at Berhampore, he said, "There hav been two major jail disturbances. One which broke out at the Berhampor Special Jail on the 19th May, 1942, which was handled tactfully by th local officers and about which I do not wish to say anything at the presen moment."

Sir, does this statement convey any information to the House about th incidents in Berhampore? I wonder if he means shooting down over 3 persons and wounding a large number of persons "as tactful handling b the local officials." I would like to know from the Hon'ble Chief Ministe whether he tried to find out under what circumstances firing was resorte to, what were the reasons which made the victims act in a manner whic was sure to bring about their own destruction. I maintain, Sir, that th House is entitled to be given full and complete information on the subject.

The Hon'ble Chief Minister's statement regarding the Dacca Jai incident is equally worthless and gives us no information. As I state earlier, I know very little about the security prisoners. According to m information, there are two sets of security prisoners. One set has bee described in the Government Press note as professional and habitua criminal security prisoners. I do not know the official version of the o'he set. None of the members of the other set has been guilty of breaking the law which deserved their detention. I understand that they are kept in the same jail side by side, but there is a vast difference in the treatment meted out to the two sets of prisoners. For convenience sake I would refer to one set of prisoners as Set A and another as Set B. Both sets of prisoners are kept in the same jail. The members of Set A are invariably placed in Division A. They are given special allowances, facilities for recreation, reading matter and other amenities. Their standard of living is far superior to the other set. They are not required to do any work. But the members of Set B are not granted any of these facilities or amenities. They are treated like ordinary convict prisoners and are subjected to all the rigours of prison life. If this is true, it can be easily comprehended that the privileged set who are politically-minded and wh were out to create disturbances must have been inciting the members of

the Set B pointing out to them the privileges accorded to and enjoyed by Set A. They must have been constantly pointing out to these victims "the treatment meted out to them was illegal and under the law they were not obliged to work and they were equally entitled to all the privileges like Set A." Is it difficult to understand that the unfortunate set was bound to be influenced by such incitements? They must have constantly felt the injustice meted out to them. They might have had a bad record, but their detention was only a precautionary measure which was in itself questionable. Over and above that they were treated inhumanly. I would like the Hon'ble Chief Minister to tell us whether or not these men were treated as ordinary convict prisoners; if so, under what law were they being so treated, and why an invidious distinction was made between two sets of prisoners?

Sir, the Government communiqué, dated 4th September, in my opinion, contains sufficient materials to visualise as to what might have happened. These people were being very unjustly and harshly treated. They must have reached the limit of their endurance. Goaded and incited by the privileged set of security prisoners they must have decided to refuse to submit to the illegal order. Instead of realising the weakness of their position, the authorities enforced their orders by the use of force. I am prepared to agree that the victims on their part might have threatened to resist in a violent manner. Then the question of prestige of the officials and obedience to jail discipline must have prompted the use of firearms. Nowhere is it stated that they were armed with any sort of weapons. Nor is it contended that there was any attempt to make a break through. All that the communiqué has brought out is that they mutinied and refused to work. In the first place, I question the legal right of the authorities to make these people work. In the second place, is there any justification to shoot people because they refused to obey an illegal order? These men were confined in an enclosure; they were unarmed and cut off from the other parts of the jail. Therefore, the necessity for opening fire is difficult to understand. Not only that; the fire was opened only because these people refused to work. But according to my information the firing continued for a considerable time, and the people in that enclosure began to run from one place to another. Some of them climbed the trees and they were shot down; some of them who managed to jump upon the roof of the building were also shot down. (Cries of "Shame! Shame!" from the Opposition benches.) I quite understand that in these days when strong forces are out to create disturbances and inconvenience the administration, nothing should be done to weaken the hands of the authorities who are responsible for maintaining law and order. But, Sir, in the name of maintenance of law and order cold-blooded murder cannot be sanctioned. That is what happened in the Dacca Jail. I submit that I have given sufficient facts to enable the House to judge that the matter was a very serious one. It is not an ordinary affair; a *primâ facie* case has been made out whether there was any justification for opening the fire, and even if there had been any justification for opening the fire was there any

justification for continuing the fire, and shooting down helpless and unarmed people who were confined in an enclosed place. It has not been made out that they were making an attempt to break through. It has not been said that they were armed with dangerous weapons or that the life of the firing party was in danger. In spite of that, the shooting continued for such a considerable time. In these circumstances, I submit that a non-official Committee of Enquiry must be set up to enquire into the incidents of both the Dacca and Berhampore Jails.

Mr. ATUL CHANDRA SEN: Sir,——

Mr. DEPUTY SPEAKER: Mr. Sen, there are two courses open to you. You can speak on the motion already moved or you can move your own motion.

Mr. ATUL CHANDRA SEN: Sir, I want to move my own motion. Sir, I beg to move that this Assembly is of opinion that a mixed Committee with a non-official majority should forthwith be constituted to enquire into the recent shooting incident in the Dacca Central Jail which took place on the 31st August, 1942, in which several prisoners lost their lives and others were more or less seriously injured and to report to the Government the nature and the causes of the occurrence, the number of the casualties, the circumstances under which firing had to be resorted to and as to whether firing was at all necessary or to the extent it was resorted to and also to recommend to the Government suitable action against any jail official or officials who in the opinion of the Committee have been guilty of causing unnecessary loss of lives or of any other excesses.

This House is further of opinion that in order to enable the aforesaid Committee to investigate facts properly the present Superintendent of the jail should forthwith be relieved of his duties or transferred elsewhere.

Sir, in commending this motion to the acceptance of the House, I have to tell a tale of horrors, and you will kindly pardon me if I have to use strong language at times. I would put it like this. The blood-stained time-table of British rule in India had a bloody Monday added to it, viz., Monday, the 31st August, 1942, when there was a blood-bath in the Dacca Central Jail. Sir, that bluffing and blustering Minister-politician of Great Britain who is a past-master in the art of telling political lies with regard to India taking his cue from the bureaucrats in India and whose name is L. S. Amery has been pleased to tell the world that there was a mutiny in the Dacca Central Jail on the 31st August, 1942. It is a lie. The truth is that on that day there was a massacre, an unprovoked cold-blooded massacre of some helpless prisoners in the jail by the Superintendent and his men. Sir, the story is very simple as it often is in this cursed land of ours. The prisoners in question forgetting that they are Indians did something in the Jail which in a free country would have got the Government to intervene in their favour, whereas here a bureaucrat who was in their charge gave them death instead. Sir, the non-political security prisoners,

about 300 in number, lodged in the jail having, for some months past, failed to persuade the Superintendent to forward some of their grievances, serious grievances, to outside higher authorities went on strike on that Monday. They refused to work: they went on strike in order to draw the attention of the District Magistrate to their grievances. This exasperated the European gentlemen, or should I say, the brute, who occupies the position of the Superintendent of the jail, so much so that he shot those people like rats, killing about forty, if not more than forty, and injuring 200 others. Sir, early in the morning on that date there was firing, continuous, incessant firing for more than half an hour in the jail. People heard reports of guns from long distances. They were bewildered and asked what the matter was inside the jail. Streams of people, men and women, came to my place with tearful eyes and asked, "What has been the matter in the jail? Have they shot the political prisoners?". I myself did not know, as I could not stir out, having been laid down with an attack of influenza. It was on Monday as I have told you. On Wednesday I paid a visit to the Jail. I met the Jail Superintendent at his office. He told me that he had to open fire on the non-political security prisoners in self-defence having been attacked by them. In self-defence, indeed! The gentleman talked with me for about half an hour, and I found him perfectly fit and unscathed. As a matter of fact, I did not notice any signs of external injury on his person, not even a bruise or even a scratch. He repeatedly told me that he was so upset that he could not eat and sleep. If it was true it must have been due to the nervous shock from which a murderer always suffers. (Laughter from the European benches.) Yes, they are laughing, but they will not laugh long. From the Superintendent's office I went to the hospital. There I saw 136 wounded prisoners, all huddled up together in two small rooms and in the adjoining verandah. I was told that there were more wounded prisoners in the barracks who could not be accommodated in the hospital. I saw some of them waiting as outdoor patients. What a staggering sight it was—these wounded prisoners with their maimed bodies riddled with bullets, pierced with bayonets and bruised with batons! I sat by the bedside of some of them,—apparently dying men, and some of them must have died since. I touched them softly and looked at their cheerless, despairing and agonising faces. They burst into tears, and sobbed like little children. These people, every one of them, told me like this: "Sir, we have done nothing to deserve this treatment: we are absolutely innocent: the Superintendent has killed 38 of us, for nothing: we are dying men and must tell you the truth. Having for some months past failed to induce the Superintendent to forward some of our grievances to higher authorities, we went on strike on Monday. We refused to work: we went on strike in order to draw the attention of the District Magistrate to our grievances. The Superintendent came in a fury and blurted out, 'What ! *Salas*, you will not work! All right! And immediately he opened fire. He and his men who were quickly reinforced fired indiscriminately. We cried piteously, asking him to stop fire: with folded hands we begged for mercy. But to no effect. Some climbed up the trees

in the yard in order to save their lives. They were not spared: they were shot down dead like birds." Sir, imagine my grief to hear this woeful tale of the prisoners. I could not stand it longer. I came away and several times I tried to speak with the Hon'ble the Chief Minister in Calcutta over the telephone, but he was not available. I started for Calcutta on Saturday, and I met the Hon'ble the Chief Minister on Monday. I told him everything. I told him that the Dacca Jail Superintendent had committed "man-slaughter"—the very language I used—and that he ought to be prosecuted. "Won't you take up the matter, Sir?" I appealed to him. He very kindly agreed to go to Dacca and started on Wednesday, my honourable friend, Mr. Surendra Nath Biswas and I accompanying him. The Chief Minister and we visited the jail at Dacca on Friday accompanied by the Inspector-General of Prisons, Bengal, and the Additional District Magistrate of Dacca. We spent more than two hours in the jail, and, Sir I may tell you without any fear of contradiction that what we saw and heard that day in the jail fully confirmed the story given me by the wounded prisoners on the occasion of my previous visit to the jail. It also confirmed the belief that I cherish for good reasons that whenever official prestige is at stake, whenever an official, especially a European, is concerned, an official enquiry into an incident is good for nothing. Sir, as I have already said, we visited the Dacca Central Jail on Friday. We went straight to the yard where the prisoners are alleged to have attacked the Superintendent and his men. This yard like all other yards in the jail is enclosed on all sides by high walls and strong iron fences which do not permit ingress or egress of people except through one inside entrance which is always kept closed and guarded. Having entered the yard we asked the Inspector-General of Prisons—and he was all the time speaking to us as the representative of the jail officials and supporting their case with something like ingenuity. We asked him, "What were the weapons which the prisoners used?" "Brickbats and iron rods" he replied "Where did they get brickbats from?" I asked. The Inspector-General replied that there were rows of cone-shaped bricks planted in the yard as might be found in gardens and parks. The prisoners, he said, pulled out these bricks and used them as missiles. "But," I asked, "if there were bricks here planted as you say which the prisoners pulled out and used as missiles, every one of the bricks so pulled out must have left some depression on the spot from where it was pulled out. Do you see anything like depression anywhere on the ground? On the contrary, do you not see that the ground is uniformly plain with grass growing on it which cannot have been disturbed for years, whereas the incident took place barely ten days back?" The reply which the Inspector-General gave to this astounded us to a degree. "Yes," he mumbled, "but the bricks were not all big; they were a mixed sort. None of them was very big and, therefore, has left no noticeable depression on earth." I laughed at the reply and asked, "Is there any other spot in the jail with similar rows of cone-shaped bricks?" He replied "Yes" and led us to the spot. I asked a jail warder, a very big and bony fellow, to pull out a brick from a row at random which he did.

He used his boots and fists alike and succeeded after a minute's shaking and kicking to pull out one and, behold, what did we find, but a pretty big hole on the spot from where the brick was pulled out! At my bidding the warder pulled out another brick from another row at random with the same result. Then I looked at the Inspector-General rather sternly and asked if he still seriously wanted us to believe this silly brick-throwing story. The gentleman looked non-plussed and made no reply. Sir, after this need I tell you that these bricks nowhere and never existed except in the imagination of the Inspector-General, and also, that the story of brick-throwing is a pure myth invented to save the skin of the European Superintendent. (Mr. ABDUL WAHAB KHAN: It is always done.) Yes, we know, it is always done. The story is a myth, a pure invention, but it is a very clumsy invention which cannot deceive anybody except the Inspector-General of Prisons, Bengal, and perhaps also the Divisional Commissioner, Dacca, the two gentlemen who were deputed to enquire into the jail incident.

Sir, having inspected the yards, we proceeded on to the hospital and from there to the political security prisoners' barracks that stand nearby. On the way we asked the Inspector-General whether it was true that some prisoners who had climbed the tree in the yard at the time of the occurrence were shot down. "Yes," he replied, "because they were throwing brickbats from there." I wonder it did not occur to the gentleman that even if there were bricks there a person could not possibly climb a tree, a big tree with a large circumference, as all the trees in the yard are, with bricks, even with one brick in his hand. Supposing one could climb a tree with one brick in hand, could he possibly stand secure on the tree and use his one missile effectively to be a source of danger to anybody? And, again, could a prisoner be so foolish as to climb a tree with a brick in hand and make himself a clear target of the firing squad that was dealing death all round? No one will swallow such a foolish story. The truth is that these helpless prisoners not knowing how to save their lives in the situation climbed the trees in the hope that they might somehow be spared, but the wrath of the mighty Superintendent was not appeased before they were shot down dead.

The political security prisoners living in the barracks nearby told us that they saw the occurrences with their own eyes and described them with a vividness that could not be mistaken.

Sir, I have done with the brick-throwing story. Now comes the iron rod story. I do not propose to go into the details of this story because time will not permit. When we asked the Inspector-General to tell us where the prisoners got iron rods from, he showed us a staircase with iron rails and told us that the prisoners had removed some of the rails from the staircase and used them as weapons of attack. He also told us that these rails had been refixed in their own places by the jail officials after the occurrence. Now, Sir, after a very close and careful examination of the staircase and the railings we were not at all convinced that any rails from the staircase

had recently been removed and refixed, and also we were satisfied after an experiment by the same big and bony warder that it was not humanly possible to pull out those rods. Apart from all this, Sir, it seems extremely strange that the rails which were alleged to have been pulled out from the staircase were refixed into their old places by the jail officials before the Hon'ble the Chief Minister or the Inspector-General of Prisons, Bengal, or any other person who might be deputed to enquire into the incident had a chance and opportunity of examining them as detached from the staircase. or are we to understand that the jail officials thought that the incident was not at all serious and therefore there would be no enquiry into it? This is not a believable story.

Sir, I hope I have been able to show that there was nothing like an attack on the Superintendent and his men by the prisoners with brickbats and iron rods as alleged. Here, Sir, I may draw your attention to a Government communique of a rather misleading nature. I should tell you that this communique was published before I saw the Hon'ble Chief Minister and before he went to Dacca. Giving the communal ratio of the casualties—a thing which I strongly deprecate—the communique adds that "a warder also died," apparently suggesting that he was the victim of an attack by the prisoners. But, Sir, I have definite information that this man got mixed up in the melee and received a bullet shot which caused his death.

I repeat, Sir, that there was no attack on the Jail Superintendent and his men as alleged by them. There might have been a scuffle between the prisoners and the jail warders or there might have been none; more probably the latter. In either case, the question of shooting did not arise. Even admitting for argument's sake that there was an attack on the Superintendent and his men by the prisoners in the manner alleged by them with brickbats and iron rods, the question is whether even then firing was necessary, and if it was necessary whether it was necessary to have it done in the manner and for the duration that it was done, namely, for more than half an hour, causing as many as 40 deaths. Sir, my answer to this question is an emphatic "no," and that must be every sensible man's answer.

Sir, these days you read almost daily in newspapers Government communiques and other accounts of how the police and the military in different parts of India disperse large, unruly and uncontrollable mobs—at times armed mobs—by firing and inflicting casualties, but do you remember to have read any account telling you that in any case the number of casualties has come up to anything like forty. I dare say "no." But the Dacca Superintendent had to kill about forty people and injure 200 others out of 300 within the four walls of the jail to quell the alleged disturbances by them. Sir, this is monstrous. I am not prepared to believe that even if, contrary to my view, there was anything serious in the jail the Dacca Superintendent could not have tackled the situation in the manner in which the Allahabad Superintendent did recently in dealing with the

same class of people without causing any loss of lives if he had the mind to. Sir, I have no doubt that the Dacca Superintendent perpetrated the horrors on Monday morning quite deliberately in order "to create an impression"—to use that classic phrase—in the manner that one of his compatriots did years ago at Jallianwallabagh. (Cries of "Hear! Hear!" from the Opposition benches.) I therefore demand an enquiry into the Dacca Jail incident. I particularly demand an enquiry into the conduct of the Jail Superintendent. I know that Government had an enquiry conducted by two high officials, one of them being the Inspector-General of Prisons, Bengal, *i.e.*, the boss of the Superintendent whose conduct was the subject-matter of the enquiry. Sir, generally I have no faith in an official departmental enquiry into an incident in which an official, especially a European, is concerned. I have still less faith in this Committee of which the Inspector-General of Prisons was a member. Sir, the manner in which this gentleman put up silly stories before the Hon'ble Chief Minister at Dacca is nothing short of scandalous. About the other gentleman, too, *i.e.*, the Divisional Commissioner of Dacca, I have not anything better to say. I have not known him to rise above official and racial bias. Indeed, where do you find to-day a European officer belonging to the I.C.S. fraternity who can rise above official and racial bias? I do not find any. Therefore, Sir, I demand an enquiry into the incident by a Committee, a mixed committee of officials and non-officials with a non-official majority. I want this Committee to make a thorough examination of the case and to find out among other things whether the Jail Superintendent or any other jail official or officials were guilty of any excesses and, if so, to recommend to the Government suitable action against them. I further demand that the Jail Superintendent against whom there is a clear *prima facie* case should forthwith be suspended or transferred elsewhere, so that he may not by well-known methods of jail terrorism make free and independent tendering of evidence by the prisoners impossible and thus frustrate the very object of the enquiry. I feel, Sir, that this gentleman should have been suspended or transferred by this time. (Dr. ABDUL MOTALEB MALIK: Why was it not done?) I also ask, why?

Before I conclude, permit me, Sir, to make two appeals through you. I would appeal to all sections of the House, especially to my European friends, to support this motion. My European friends very well know as much as we that feelings between ourselves have of late been greatly embittered and strained to a degree. Let them not further accentuate the situation by allowing the perpetrators of such horrors to go unpunished. They must remember that the present "Quit India" movement is only the cumulative result of a chain of such wrongs done in the past. They must know that their action to-day on the floor of this House is being keenly watched by millions outside. They must not, I beg of them, support the Dacca massacre which I regard as a Jallianwallabagh massacre in miniature. It is in a sense even worse than the Jallianwallabagh massacre. It is more barbarous, more vindictive, more cruel and more cowardly than the Jallianwallabagh massacre. Sir, what can be more cruel

and more cowardly than to shoot prisoners committed to one's care without anything like provocation within the four walls of a jail where they cannot escape or retaliate? I ask my honourable friends to realise this and support this motion.

Sir, I have another appeal to make viz., to the Government. This Government have already shown by their action that they are people's Government as much as it is possible within the orbit of the Government of India Act of 1935 and in the peculiar and difficult circumstances prevailing in the province. The great public man who is at the head of the Government is well known for his broad sympathies, his nationalistic outlook (Cries of "Ha! ha!" from the Opposition benches), yes, I say his nationalistic outlook and his love for the people. I know that the meanest of the mean in the land is not outside the range of his consideration. I remember how visibly he was moved when he saw and heard things in the Dacca Jail. I found pain writ large on his face. On returning to Calcutta he told me more than once that he was being haunted by the memories of Dacca. (Mr. H. S. SUHRAWARDY: Who would not?) I don't know but this world would be a better world if all felt like him, I ask him, because I have faith in him, to retrieve the great wrong done at Dacca by doing something. I know that there are difficulties. I know that the whole I.C.S. fraternity, at least a prominent portion of them, may oppose any such move.

Mr. DEPUTY SPEAKER: Your time is over.

Mr. ATUL CHANDRA SEN: May I have two minutes more, Sir?

Mr. DEPUTY SPEAKER: All right, only two minutes.

Mr. ATUL CHANDRA SEN: Yes, Sir, I again ask him to retrieve the great wrong done at Dacca by doing something. I know that there are difficulties. Yet, I appeal to him to assert himself. I appeal to him to do something in the matter. I appeal to him to create a precedent, a glorious precedent.

With these words, I commend my motion to the acceptance of the House.

Mr. D. GLADDING: Sir, on behalf of the European Party, I rise to speak against this motion. When a rising occurs in a jail, it becomes a duty of Government in the Jail Department to enquire into it, both if it is successfully quelled and, even more so, if it is not successfully quelled. These two risings were, happily, both quelled; and a Governmental enquiry into both of them has been conducted. In the case of Berhampore, the Hon'ble Chief Minister, who is in charge of the Jail Department, has told us that he is satisfied with the manner in which the rising was handled by those whose duty it was to suppress it. In the case of Dacca, he told us, in his statement made twelve days ago, that an enquiry had been held and that he was awaiting the report of the enquiring officers, the Commissioner of the Dacca Division and the Inspector-General of Prisons. It remains for

him to tell us what findings Government have reached on the report of these two officers. We take it that he will do so in replying to this debate: for the report must surely have reached him by now—it must surely have been in his hands for several days?

We object to this motion on two grounds: first because the running of the Jail Department and the conduct of enquiries into departmental incidents is not a function of this House; and secondly, if that ground fails, which it should not, because it is made without waiting for the results of the official enquiry into the Dacca incident. We are surprised that a man with the honourable Mr. Shahabuddin's experience of public business should have put his name to such a motion. With regard to the Berhampore incident, if he wanted more of the information at the disposal of Government than has been disclosed, his remedy was to ask for it. With regard to Dacca, his obvious course was to ask for an early disclosure of Government findings on the report of the enquiring officers. Instead of which, he puts in a motion suggesting that a Committee of this House should at this stage usurp the functions of Government. This, we submit, Sir, does not make good sense at all.

We have the same objection to Mr. Atul Chandra Sen's motion which substitutes a mixed Committee for a Committee of the House. He spoke to it, moreover, with an assumption of knowledge of what actually happened which he cannot possibly, despite his contacts, possess; and with such expressions of feeling against Government officers, especially European officers, that I find it difficult to believe that his judgment on any of the facts of the case can possibly be reliable.

We have no quarrel with the statement in the motion that the Chief Minister's statement twelve days ago was unsatisfactory. With regard to the Dacca incident it certainly was unsatisfactory: for it was capable of different interpretations, one of which was that he had, with an official enquiry still pending, formed an opinion of his own that was adverse to his officers and intended the House to know this. As this would not have been playing the game, we cannot believe that he meant anything of the sort. But he should have chosen his words more carefully. Other defects of workmanship are the publication of figures of casualties which were communally incorrect and the failure so far to answer a single one of the many questions on the Dacca incident that were, I gather, put in at the beginning of this Session. The former defect probably gave birth to this motion—I refer to the motion of the honourable Mr. Shahabuddin—and the failure to answer questions has kept alive an opposition which might otherwise have been withdrawn. On the supposition that the report of the enquiring officers recorded all the ascertainable facts, and has been in Government's hands for a considerable time, many of those questions could surely have been answered, and therefore should have been answered, days ago.

We were glad to hear the Chief Minister's judgment on the Berhampore occurrence, and we accept it was final evidence if any were needed that there is no case for further enquiry, even official enquiry, into that incident.

We await with considerable concern what he will have to say about the Dacca mutiny consequent on the report of the Inspector-General of Prisons and the Commissioner of Dacca. We deplore very much the casualties that occurred, but on the present information so far disclosed by Government we cannot see that they could have been avoided. On our present information we regard them as evidence that the mutiny was so grave that it could not have otherwise been overcome. In making his further statement, we trust that the Hon'ble Chief Minister will have regard to his duty to the officers and men who discharged their duty; the duty, in very trying circumstances, with more than 2,000 prisoners in their charge, of keeping his administration going.

Mr. S. A. SALIM: Mr. Deputy Speaker, Sir, I rise to support the motion of Mr. Shahabuddin. He has put up the case for the institution of a Committee of Enquiry to investigate into the incidents that led to the shootings in the Dacca and Berhampore Central Jails.

It is true that in response to a public demand, made on behalf of the Muslim League Parliamentary Party, by its Chief Whip, the Government deputed the Inspector-General of Prisons and the Commissioner of the Dacca Division to conduct a departmental enquiry into the incidents of the Dacca Jail, but no such step was taken for the incident in the Berhampore Jail. The report of these officials has been submitted, but we have not yet been taken into confidence as to the nature of that report. I hope the Minister in charge will lay this report on the table for the perusal of the members of this House.

In this connection I would submit that the report of these officials will not allay public suspicion as both of them are administrative heads responsible to the Government for the administration of the jail concerned through officers subordinate to them. It is but natural for the public to doubt if the true state of affairs in respect of the shooting could ever be revealed in a report by such officers whose duty would be to support the actions of their subordinates.

The Government communiqué issued in respect of both these shootings were vague and the details mentioned therein were meagre. So far as the Dacca Jail shooting affair is concerned, the Government communiqué described the victims as *goondas*. It appears that the purport of describing the victims as such was to lessen the gravity of the offence and to wean away public sympathy from the victims, but it was an erroneous conception on the part of the Government to imagine that public sympathy could be lessened by such a description. Whatever be the classification of the nomenclature of the prisoners who were shot, it cannot be gainsaid that they were security prisoners detained without trial. Such being the case, the Government had an added responsibility for the safety and the well-being of these persons. Whatever be the class of prisoners that were killed, the fact remains that 39 human lives were lost and about 269 persons were wounded. They were defenceless and were in the custody of Government. Now, Sir, as to the Dacca incident itself, it is generally believed

that the occurrence took place as a result of the refusal on the part of these security prisoners to undergo hard labour, their contention being that as they were not ordinary prisoners convicted of any criminal offence, they had a right to expect some leniency in this respect. But they were forced to accede to the wishes of the officials on the strength of a hope held out that they would be released shortly. But disillusionment was in store for them. Resentment on this score was already in their minds. When the political prisoners made them their cat's paw and incited them to refuse forced labour, this they did in a body, and the officials failing in persuasion, resorted to firing in a merciless manner. It is reported that firing was indiscriminate and lasted for as long as 40 minutes. There was a stampede for taking cover and shelter, but no mercy even then was shown to them though they were within the walls of a prison. It is shocking to have to state that persons who had sought protection on trees were shot dead and brought down, persons who had hidden in slit trenches were hounded and shot in cold blood. In other words, savagery and brutality on the part of Jail warders were rampant.

In these circumstances, Sir, the public have a right to demand an impartial non-official inquiry by persons not connected in any way with the administration of the jails. I hope that Government, if they have nothing to conceal, will readily accede to this demand.

With these few words, Sir, I support the motion and commend it to the acceptance of the House.

Adjournment.

It being 11-30 a.m., the House was adjourned till 8-45 a.m. on Tuesday, the 29th September, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 29th September, 1942, at 8-45 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 173 members.

STARRED QUESTIONS

(to which oral answers were given)

Maintenance allowance to certain security prisoners.

***66. Mr. PRATUL CHANDRA GANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the following security prisoners have been granted any allowance for the maintenance of their families:—

(*1*) Srijut Dinesh Chandra Ghatak.

(*2*) Srijut Jamini Mohan Pal.

(*3*) Srijut Dhiresh Chandra Ghosh.

(*4*) Srijut Charu Chandra Roy.

(*5*) Srijut Birendra Bose.

(*6*) Srijut Sarat Chandra Nath?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Government again consider the desirability of reviewing these cases and granting suitable family allowance?

MINISTER in charge of the HOME DEPARTMENT ([illegible] Mr. A. K. FAZLUL HUQ): (*a*) (*1*), (*2*), (*3*) and (*4*) Their cases are under reconsideration.

(*a*) (*5*) and (*6*) Yes.

(*b*) and (*c*) Do not arise.

Dr. ABDUL MOTALEB MALIK: With reference to his answer that their cases are under reconsideration, will the Hon'ble Minister be pleased to state whether their applications had once been rejected and are now under reconsideration or whether they were granted allowance which has now been rejected?

The Hon'ble Mr. A. K. FAZLUL HUQ: All I can say offhand is that in case of some no allowance was granted and in case of others allowance was granted, but that was not considered sufficient. We have received representations for reconsideration of all these cases.

Recommendation of the Committee of Privileges.

*67. **Mr. PRATUL CHANDRA GANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the attention of the Government has been drawn to the report of the Committee of Privileges placed before the House by the then Hon'ble Speaker Sir M. Azizul Haque on the 19th September, 1940?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps have been taken to give effect to those recommendations of the Privilege Committee?

(*c*) Will the Hon'ble Minister please state whether the members of the Assembly who are detained in jail without trial under the Defence of India Rules will be allowed to attend the Assembly meetings commencing on the 15th September, 1942, in accordance with the recommendations of the Privilege Committee?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) A Bill intended to give legislative effect to provisions covering all the recommendations so far as they appeared to be acceptable to the Government of the day was introduced in the Assembly on 2nd December, 1940. For a number of reasons no progress was made with this measure.

(*c*) No, Sir.

(*d*) I refer the honourable member to the provisions of section 71(*1*) and (*2*) of the Government of India Act in view of which we think that it would be improper for us to take any action which might have the effect of enlarging or extending the privileges of members which in the terms of the Act, until defined by a Provincial Act, "shall be such as were..... enjoyed by members" of the Legislative Council immediately before the Government of India Act came into force in Bengal.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what were the reasons for which no progress was made in respect of the Bill which was introduced on the 2nd December, 1940?

The Hon'ble Mr. A. K. FAZLUL HUQ: My honourable friend is fully aware of the circumstances and since he has put the question, I will recapitulate the facts. The former Government tendered its resignation on the 1st December and although that resignation was tendered, His

Excellency the Governor did not accept the resignation but allowed the Ministers to function for some time because on the 2nd December, namely, the day following the mass resignation——

Khan Bahadur MOHAMMED ALI: If you will please refer to the answer, it is December, 1940.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am coming to that. I am now talking of 1941. In 1941 towards the very close we wanted to take up this Bill and the circumstances to which I am referring arose which precluded our taking action. The previous year the Bill was introduced, but on account of certain decisions given by the Speaker at the time, the Bill had to be amended in material particulars, and it was decided to put the Bill before the then Cabinet. It came up on certain occasions, but was not considered and it so happened that it took final shape in December, 1941. At that time we could have passed it into law, but for the circumstances referred to. As regards what happened during the one whole year, I have no recollection, and it is not possible for me to give any details of the reasons which led to this great delay.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the present Government has got any intention to move the Bill again?

The Hon'ble Mr. A. K. FAZLUL HUQ: The present Government has every intention of bringing up legislation on these lines.

Dr. ABDUL MOTALEB MALIK: May we know when that time will come?

The Hon'ble Mr. A. K. FAZLUL HUQ: Certainly not today, but at some future meeting of the Assembly.

Dr. ABDUL MOTALEB MALIK: Will it take a long time or will it come up within a few months?

The Hon'ble Mr. A. K. FAZLUL HUQ: That depends on the estimation of "long" or "short". What may be long to somebody may be short to me and what may be short to somebody may be long to me.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Family allowance of security prisoner Babu Jadu Nath Bhattacharjyya.

32. Babu JNANENDRA CHANDRA MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether Government have received any petition from the security prisoner Babu Jadu Nath Bhattacharyya for the increment of his family allowance of Rs. 10 a month?

(*b*) Will the Hon'ble Minister be pleased to state his monthly income before his arrest?

(*c*) Is it a fact that he was the sole earning member of his family?

(*d*) Is the Hon'ble Minister considering the desirability of increasing the amount of his family allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The reports of local enquiry show that prisoner could hardly earn Rs. 10 per month before arrest.

(*c*) Yes.

(*d*) The matter is under my consideration.

Family allowance of security prisoner Babu Sarat Chandra Nath.

33. Babu JNANENDRA CHANDRA MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether security prisoner Babu Sarat Chandra Nath applied to the Government for the increment of his family allowance of Rs. 10 a month on the ground—

(*i*) that Rs. 10 is very insufficient for the maintenance of his family of five members, including his wife, children and very old parents; and

(*ii*) that he used to earn much more before his arrest?

(*b*) If so, will the Hon'ble Minister consider the desirability of increasing the amount?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The matter is under consideration.

(*c*) Does not arise.

Grants to recognised private guru training schools.

34. Maulvi IDRIS AHMED MIA: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the names of the existing recognised private guru training schools in the province managed by—

(*1*) Christian missionaries,

(*2*) Hindus, and

(*3*) Muslims, and

(*ii*) the total amount of—

(*1*) building grant,

(*2*) monthly grant,

(*3*) furniture grant, etc.,

spent from provincial revenues for each of the said schools during the period from March, 1937, to 31st October, 1941?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. ABDUL KARIM): (*a*) (*i*) to (*ii*) A statement is laid on the table.

Statement referred to in reply to Unstarred Question No. 34. dated the 29th September, 1942.

Name of school.	Managed by—	Total of building grant during the period from March, 1937, to 31st October, 1941.	Total amount of monthly grant during the period from March, 1937, to 31st October, 1941.	Total amount of furniture grant during the period from March, 1937, to 31st October, 1941.
		Rs.	Rs. a. p.	Rs.
1. Hatchapra Guru Training School, Nadia.	Christian Missionaries.	2,000	16,567 8 0	570
2. Kalimpong Mission Training School for Boys, Kalimpong.	Ditto ..	2,000	37,296 0 0	..
3. Birisiri Guru Training School, Mymensingh.	Ditto ..	2,000	3,584 0 0	294
4. Bandura Guru Training School, Dacca.	Ditto ..	2,000	6,750 0 0	..
5. St. Alphonsus Guru Training School, Kurseong.	Ditto ..	2,000	..	..
6. Sarenga Guru Training School, Bankura.	Ditto ..	575	12,600 0 0	..
7. Sriniketan Guru Training School, Bolpur.	Hindus	2,450	30,394 15 6	..
8. Fazlul Huq Primary School, Dadanchak, Malda.	Muslims	..	400 0 0	..

Unstarred Question No. 23.

(When unstarred question No. 23 was called out.)

Khan Bahadur MOHAMMED ALI: Sir, we were not prepared for this question to be answered today. Will you please hold it over?

Mr. DEPUTY SPEAKER: All right, it is held over.

GOVERNMENT BILL.

The Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

Mr. DEPUTY SPEAKER: We will now take up a small Bill, namely, the Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

Khan Bahadur MOHAMMED ALI: Sir, the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, does not appear in the list of business that has been submitted to us. We find that this Bill was to be taken up after the disposal of the business that was remaining from the 28th September and as such, of course, it has been amended. I think that we should not take up this Bill unless and until we have disposed of all the special motions that are mentioned in the list of business, and I do not think that you should change the priority now at such a late stage when the list of business has already been ciculated to the members. Moreover, we are not prepared for that Bill.

Mr. DEPUTY SPEAKER: I think it is better to finish this Bill first as it will not take more than ten minutes. As regards the amendment, that is obviously out of order.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Sir, I beg to move that the amendments made by the Bengal Legislative Council in the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, be taken into consideration.

The motion was then put and agreed to.

The question that the amendments made by the Bengal Legislative Council in the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, be agreed to, was then put and agreed to.

SPECIAL MOTION.

On Chief Minister's Statement.

Mr. A. M. A. ZAMAN: মাননীয় Deputy Speaker, গতকল্য সাহাবুদ্দিন সাহেব একটা motion এনেছেন ঢাকা Jail Shooting সম্বন্ধে। অবশ্য, ঢাকা জেলে যে shooting হোয়েছে সে সম্বন্ধে সকলেই আমরা দুঃখিত। এরকম বর্বরভাবে যে মানুষ নিরীহ উপর গুলী চালাতে পারে সেটা কেউ সমর্থন করে না। আমাদের মাননীয় প্রধান-মন্ত্রী বা অন্যান্য মন্ত্রীরাও কেউ সেটা সমর্থন কোরছেন না। কিন্তু (A VOICE FROM THE OPPOSITION : হাঁ। ঐ কিন্তুই তো কিন্তু) ওঁরাও যখন কিন্তু কথাটার উপর এত জোর দিচ্ছেন—আমিও সেই কিন্তুর ভিতর দিয়েই আসছি—কিন্তু কথাটা এই যে এর আগেও যখন কালীগঞ্জে গুলী চলেছিলো, যেখানে নাকি গুলী চলার জন্য অনেক লোক মারা গিয়েছিলো, এবং অনেক কিছু অত্যাচারও হয়েছিলো,—তখন তথাকথিত ভূতপূর্ব প্রতাপান্বিত কোয়ালিশন

পার্টির লোকেরা M. A. Rahmanকে President কোরে একটা Committee পর্য্যন্ত গঠন করেছিলেন, তার একটা enquiry করবার জন্যে কিন্তু সে সময়কার যিনি Home Departmentএর Minister ছিলেন—স্যার নাজিমুদ্দিন সাহেব—যিনি এখন Leader of the Opposition রূপে বিরাজ কোরছেন, তাঁর অত কর্ত্তৃত্ব থাকা সত্বেও সাহাবুদ্দিন সাহেবই enquiry কোরতে দেন নাই—একথা যেন ওঁরা ভুলে না যান। এখন সাহাবুদ্দিন সাহেব সম্বন্ধে দু'একটা কথা বোলে আমি আরম্ভ কোরতে চাই। কারণ তিনি ঢাকার লোক, আমার বাড়ীও ঢাকা জেলায়। সাহাবুদ্দিন সাহেবকে আমরা গত জীবনে দেখেছি মোল্লা হিসাবে,—যখন পাগড়ি মাথায় দিয়ে তিনি মিলাদ শরিফ পোড়তেন হোষ্টেলে হোষ্টেলে,—সে সময় এক সাহাবুদ্দিনকে জান্‌তাম—

Mr. DEPUTY SPEAKER: Order, order. I hope Mr. Zaman you will not make any personal reference.

Mr. A. M. A. ZAMAN: Sir, আমি ওঁর পরিচয়টা দিচ্ছিলাম। (A MEMBER FROM THE PROGRESSIVE COALITION PARTY: Where is that Mollah now ?) তিনি সেই সাহাবুদ্দিন সাহেব এখানেই আছেন। কালীগঞ্জে যখন গুলী চলেছিলো তখন তিনি কি করেছিলেন? তখন স্যার নাজিমুদ্দিন Home Member ছিলেন। তিনি তো ইচ্ছা হোলে কিছু একটা করতে পারতেন, কিন্তু ওঁরা কোরেছিলেন কি? একটা Committee of Enquiry নিযুক্ত হওয়ার পরেও সে enquiry হোতে দেন নাই। ওদের পার্টি মিটিং থেকে চেষ্টা করা সত্বেও কিছু কোরতে পারেন নাই।

আর একটা পরিচয় সাহাবুদ্দিন ও নাজিমুদ্দিন সাহেব সম্বন্ধে পাওয়া যায় যখন মুড়াপাড়ায় গুলী চলেছিলো সেই ঘটনা থেকে। সেখানেও সাহাবুদ্দিন ও নাজিমুদ্দিন সাহেবের কথা আমাদের তেম্‌নি কোরে মনে ওঠে—সেখানকার মসজিদ ও গোরস্থান নিয়ে। সেখানে মুসলমানরা তাদের মস্‌জিদে নামাজ পোড়তে যায় আর পুলিস যেয়ে তাদের উপর গুলী চালায়, এবং তাতে লোক অনেক মারা যায়; সাহাবুদ্দিন সাহেব সেখানে যেয়ে যে report দেন সে সম্বন্ধে মাননীয় Chief Minister আপনাদের বোল্‌বেন। তিনি report দিয়েছিলেন যে "সেখানে একটা ভাঙ্গা-চুরা বাড়ীতে যেয়ে মুসলমানরা নামাজ পোড়েছিলো।" মসজিদ রোয়েছে সেখানে, কবর রোয়েছে সেখানে, সেসব থাকা সত্বেও তিনি report দিয়েছিলেন—মুসলমানদের নাকি সেটা হয়েছিলো অন্যায়। মুসলমানেরা মস্‌জিদে নামাজ পোড়তে গিয়েছিলো—আর তাদের উপরে চোলেছিলো গুলী সেখানে মুসলমানদেরই তিনি দেখ্‌লেন দোষ! মুসলমানদের এই সর্ব্বনাশটা কোরে দিয়ে তাদের জেল পর্য্যন্ত খাটিয়ে ছেড়েছেন? ছেড়েছেন ঐ সাহাবুদ্দিন যাকে মোল্লা বোলে এক সময় জান্‌তাম। কাজেই আজকে সেই সাহাবুদ্দিন সাহেবকে জিজ্ঞাসা কোরছি—কুলটী গুলীচলা সম্বন্ধে তাঁরা কি কোরেছিলেন? সে সময় তো নাজিমুদ্দিন সাহেব মন্ত্রী ছিলেন। তাছাড়া যখন Strand Roadএ গুলী চলেছিলো,—হুগ্‌লিতে আমাদের উপর লাঠি চোলেছিলো সে সময় ওঁরা কোথায় ছিলেন? তখন এত দরদ কোথায় ছিল? এ সম্বন্ধে গ্রামের একটা গল্প মনে পড়ছে। কোনো একটা লোকের বাড়ী থেকে একটা মুর্গী শেয়ালে নিয়েছিলো,—লোকটা তাই নিয়ে চিৎকার সুরু করে দিলে। পাড়ার লোক তার চিৎকারে অতিষ্ঠ হয়ে লোকটাকে জিজ্ঞাসা কোরলে—হোয়েছে কি? সে বল্লে, আমার মুর্গী শেয়ালে নিয়েছে। পাড়ার লোকেরা তাই শুনে বোলে উঠ্‌লে—একটা মুর্গীর দাম বড় জোর বারো পয়সা তার জন্যে এত চিৎকার! লোকটা তখন বোল্লে একটা মুর্গী গিয়েছে সেজন্য আমি এরূপ

কোরছি না। আসল কথা হোলো—শেয়ালে যে রাস্তা দেখিয়ে গেলো সেই জন্য আমার এতটা ভাবনা। ঐ রাস্তা দিয়ে এখন যে রোজই শেয়াল আস্‌বে। সেই রাস্তা ঐ ওঁরা সাহাবুদ্দিন সাহেব আর নাজিমুদ্দিন সাহেব দেখিয়ে গেছেন। তখন আমরা ঐ ওখানে বোসে (Pointing to the Opposition benches) আমরা স্যার নাজিমুদ্দিনকে বোলেছিলাম নাজিমুদ্দিন সাহেব ধরাখানাকে সরাখানা জ্ঞান কোরে ব্যবস্থাগুলি যা কোরে যাচ্ছেন, যে নীতিটা সর্ব্বদা সাঁয়ে রেখে রাস্তা দেখাচ্ছেন, তার দরুণ হয়তো আপনাদেরই একদিন পস্তাতে হবে। আড়াল থেকে—

Mr. DEPUTY SPEAKER: Mr. Zaman, may I request you to come to the Dacca Jail incident?

Mr. A. M. A. ZAMAN : কাজেই ঐ যে রাস্তা ওঁরা কোরে গিয়েছেন—শেয়ালকে ভাঙ্গা বেড়া দেখিয়ে গেছেন (A MEMBER FROM THE OPPOSITION BENCHES : এ শেয়াল কারা ?) তার প্রতিফল ভোগ আজকে আমাদের সকলকেই কোরতে হোচ্চে। এ সবের জন্য দায়ী কারা ? পূর্ব্বে যাদের হাতে ঐ departmentটা বহুদিন ছিল। ঢাকাতে যখন এত সব কাণ্ড হয়েছিল তখন ওঁরা কোথায় ছিলেন ? তিলজালায় যখন লাঠি চার্জ হোয়েছিলো তখন ওঁরা কোথায় ছিলেন—সে কথা ওঁরা সব কি ভুলে গেছেন ? আমরা তা নিয়ে যখন Opposition bench থেকে চীৎকার কোরতাম তখন সাহাবুদ্দিনের দল——

Mr. K. NOORUDDIN: On a point of order, Sir. Can an honourable member address another honourable member disrespectfully? He is saying simply "Shahabuddin" and not "Mr. Shahabuddin."

Mr. DEPUTY SPEAKER: Certainly he cannot do so.

Mr. SYED ABDUL MAJID: He has repeatedly addressed him like that.

Mr. DEPUTY SPEAKER: I hope the honourable member will kindly correct himself and address another member in the proper way.

Mr. A. M. A. ZAMAN : মোল্লা সাহাবুদ্দিন কি আমি বোল্‌তে পারি না ? আচ্ছা যাক মি: সাহাবুদ্দিনই আমি তাঁকে বোল্‌বো। তিনি তখনকার Home Member যদিও নামে ছিলেন না—কিন্তু তিনি ছিলেন তার শলা কাঠি—যা নাকি পুতুলকে যে দিকে নাচায় সেই দিকেই নাচে। নিজেদের আমলে সেই সব কীর্ত্তি কোরে—আজকে এসেছেন ওঁরা আমাদের বোলতে। এবার ঢাকা জেলে গুলী চলার কথা জান্‌তে পেরে মি: সাহাবুদ্দিন ও মি: সেলিম বাঁদের নাকি ঢাকার মুসলমানেরা তাদের প্রতিনিধি বোলে স্বীকার করে না, তাঁরা ঢাকায় গিয়ে—সেদিন District Magistrateকে এই কথা বোলেছেন যে—"এতে মুসলমানেরা মোটেই দু:খিত নয়"। (FROM THE OPPOSITION BENCHES : Shouts of "No ! No !") কেবল চীৎকার কোরলেই হয় না। সেগুলির report Chief Ministerএর কাছ থেকেই Houseএর মেম্বররা পাবেন। কাজেই এঁদের দরদ দেখে মনে পড়ে সেই শেয়ালের কথা। আপনাদের আগেকার কথা মনে করুন। যাক,—আমরা জানিয়ে দিতে চাই—আমরা

নিশ্চিন্তে বোসে নাই। আমাদের মাননীয় Chief Minister নিজে গিয়ে দেখে এসেছেন। মাননীয় Nawab of Dacca নিজে গিয়ে সব দেখে এসেছেন। যদিও এ বিষয়টা নিয়ে অনেক কিছু মুস্কিল দেখা দিয়েছে, তা সত্ত্বেও যাতে তার প্রতিকার হয় বর্ত্তমান মন্ত্রীরা তা কোরবেন। ওঁরা যেমন এক একটা কমিটি কোরে আসল ব্যাপার চাপা দিয়ে দেশের সর্ব্বনাশ কোরেছেন, সেই সর্ব্বনাশ থেকে দেশকে উদ্ধার আমরা কোরছি। আমরা নিজেদের সুখ-সুবিধার কথাই খালি চিন্তা কোরছি না।

Maulvi ABDUL WAHED: ঢাকা জেলখানার বন্দীদের উপর নিতান্ত হিংস্র জানোয়ারের মত নির্ম্মমভাবে পশু-পক্ষীর ন্যায় যে গুলী করা হয়েছে তার সম্বন্ধে আলোচনার জন্য আমার বন্ধু অতুল সেন মহাশয় যে প্রস্তাব করেছেন তার সমর্থনে ২।৪টে কথা বলছি। আমার বন্ধু Zaman সাহেব পূর্ব্বেকার ইতিহাস অনেক বলেছেন। আমি সে ইতিহাসে যেতে চাই না। কারণ আমার বাবা বলতেন, কোন বিষয় নিয়ে গোলমাল করলে তিনি বলতেন, তোমরা গোলমাল কোরো না। (Interruption.) আমাদের পূর্ব্বেকার Governmentএর মন্ত্রীমণ্ডলীর ভিতর যিনি Home Departmentএর chargeএ ছিলেন তিনি যে আদর্শ দিয়ে গিয়েছেন এবং যে ভাবে তাঁর machine চালিয়ে গিয়েছেন, সেই machineএর যে জোর তো এখনও কমে নাই; সে machineএর তেজ এখনও কমে নাই। আমি বলতে চাই ঢাকার জেলখানার ভিতর যে নির্ম্মমভাবে নিরীহ লোকের উপর, সেই বন্দী নিরীহ লোকের উপর, গুলী চালনা করা হয়েছে, তার কারণ ঢাকা জেলখানার প্রধান কর্ম্মকর্ত্তা যিনি, তিনি হয়ত আমার বিশ্বাস, এদেশীয় লোক নন্, অন্য দেশীয় লোক। এই নিরীহ বন্দীদের, নিরাশ্রয় বন্দীদের উপর গুলী চালনা ব্যাপারে, আমার মনে হয়, তিনি যেন ভেবেছেন তাঁর জাতির উপর, তাঁর দেশের উপর, দেশবাসীর উপরে অন্য দেশের থেকে যে সমস্ত গুলী চালনা হচেচ, যে ভাবে অত্যাচার করা হচেচ, সেই অত্যাচারের হিংসায় প্রজ্জ্বলিত হয়ে তাঁর অন্তর জ্বলে গিয়েছে, তিনি কোন দিকবিদিক্ ঠিক করতে না পেরে এই জেলখানার বন্দীদের উপর বুঝি সেই প্রতিশোধ নেওয়ার জন্য এই গুলী চালনার ব্যবস্থা করেছেন। আমি কি জিজ্ঞাসা করতে পারি যে তিনি যে এই রকমভাবে এই নিরাশ্রয় বন্দীদের উপরে গুলী চালনার ব্যবস্থা করলেন সে ব্যবস্থা সম্বন্ধে তিনি কি একটু চিন্তা করেননি যে জেলখানার ভিতর মানুষকে আনা হয় গুলী করে মারবার জন্য নয়,—তার অপরাধ সংশোধিত করবার জন্য, দোষীর দোষ-ত্রুটি সংশোধিত করে তাকে মানুষ করে দেওয়ার জন্য জেলখানায় পোরা হয়, তাকে গুলী করে মারবার জন্য নয়, এই কথা তাঁর জানা উচিত ছিল, এ বিষয়ে জ্ঞান তাঁর থাকা উচিত ছিল। তাঁর সে রকম জ্ঞান থাক্‌তে পারে না; জেলখানার ভিতর যে সমস্ত লোক থাকে তাদের সে রকম জ্ঞান থাকতে পারে না, কারণ যায়গাটা বড় মুস্কিলের যায়গা। আমি যখন জেলখানায় ছিলাম তখন দেখেছি একটা কয়েদীকে সরষে দেওয়া হয়েছিল তেল ভাঙ্গার জন্য। সরষেটা ছিল পচা। কিন্তু সে এগারোটার সময় যখন তৈল পিষিয়া দেয়, তৈল যখন কম হয়ে গেল তখন তাকে মারতে আরম্ভ করে। সেই কয়েদী বল্‌লে যে সরষে পচা ছিল তেল ত কম হবেই হুজুর। সে বল্‌লে সরষে পচা ছিল, আমি ত জানিই কিন্তু তেল কম হোলো কেন? সরষে পচা ছিল, বাবা, জানো, তাতে তেল কম হবে সেটা তুমি জানো না;—জেলখানার অবস্থা এই। এই সমস্ত দুরবস্থা, দুর্ব্যবস্থা সংশোধিত করার জন্য আমরা বহু চীৎকার করেছি, কিন্তু তার প্রতিকার হয়নি, কোন প্রতিকার হয়নি। আমরা আশা করি বর্ত্তমান Home Minister,

বাংলার প্রধান মন্ত্রী মহোদয় এদিকে বিশেষ দৃষ্টি দেবেন। জেলখানার ভিতর মানুষকে, দুষ্টকে শিষ্ট করবার জন্য, মন্দকে ভাল করার জন্য, অপরাধীকে নিরপরাধ করে, দোষ-ত্রুটি সংশোধিত করে মানুষ করে দেওয়ার জন্য জেলখানার ব্যবস্থা করা হয়েছে এবং তাই করা হউক; এই ভাবে তাঁরা কার্য্য পরিচালনা করুন। আর এই ঢাকাতে এই রকমভাবে যে নির্ম্মমভাবে গুলী চালনা করা হয়েছে তার বিশেষ তদন্ত করা হউক। অবশ্য যুদ্ধের বিভাগের সম্বন্ধে, যুদ্ধের ব্যাপারে, Military Departmentএর যে ব্যবস্থা সেই ব্যবস্থার উপরে যদিও প্রাদেশিক Governmentএর কোন হাত নাও থেকে থাকে, কিন্তু এর উপর নিশ্চয় হাত আছে। জেলখানার কয়েদীদের উপর অন্যায়ভাবে গুলী করার ব্যবস্থার বিচার করা, তার প্রতিকার করা, তার দস্তুরমত ব্যবস্থা করার ক্ষমতা নিশ্চয় প্রাদেশিক Governmentএর আছে। আমি আশা করি এই ঢাকার জেলখানার কয়েদীদের উপর এই রকম ভাবে যে গুলী করা হয়েছে তার রীতিমত তদন্ত করে তার অপরাধীকে শাস্তি দেওয়ার ব্যবস্থা করা হবে, এবং পর্ব্বেকার Governmentএর মত কেবল গা ঢাকা দিয়ে এড়িয়ে যাবেন না বর্ত্তমানের Government. এটা আমি বিশ্বাস করি এবং আশা করি এবং সঙ্গে সঙ্গে একথাও বলতে চাই যে পর্ব্বেকার Governmentএর মত যেন গা ঢাকা দিয়ে না যান্; প্রকৃত কাজ যেন তাঁরা করেন; ন্যায়ভাবে দেশের শাসনদণ্ড পরিচালনা করেন। পূর্ব্বেকার মন্ত্রীদের মধ্যে সকলে না হলেও কতক মন্ত্রী, বিশেষ করে যারা নিজেদের অপরাধের জন্য আজকে গদিচ্যুত হয়েছেন, আজকে তাঁরা বুঝতে পেরেছেন যে, তাঁরা নিজেরা অন্যায় করে নিজেদের সুবিধার জন্য দশ জনের, গরীব জনসাধারণের গলায় ছুরি দিয়ে নিজের স্বার্থ পূরণ করার পরিণাম ফল আজকে তাঁদের কি দাঁড়িয়েছে; আড়াই হাজারের গদি আজকে দেড়শো টাকায় নেবেছে। এই যে যাতনা, এই যে লাঞ্ছনা, এই যে গঞ্জনা, এই যে মনের অস্থির ভাব নিয়ে আজকে বাংলার পল্লীতে পল্লীতে, বাংলার বাড়ীতে বাড়ীতে, দেশে দেশে ঘুরছেন, আর মুসলমান দরদ দেখাচ্ছেন, গরীব দরদ দেখাচ্ছেন, আজকে বাংলার মুসলমান গরীবেরা জিজ্ঞাসা করছে Sir Nazimuddinকে যে একাদিক্রমে ১২ বৎসর আপনি মন্ত্রীত্বের গদিতে রয়েছেন, এবং সাত বৎসর এখানে চৌষট্টি হাজার পেয়েছিলেন এবং তার পরবর্ত্তী পাঁচ বছর মাসে আড়াই হাজার টাকা করে পেয়েছিলেন। তখন গরীব দরদী প্রজা দরদী তো দেখাতে যায়নি, গ্রামে গ্রামে তো যায়নি। আজকে সেই আড়াই হাজারের গদি, চৌষট্টি হাজারের গদি ১,৮০০৲ টাকায় নেবেছে, তাই আজ গরীব দরদী মুসলমান দরদী দেখা দিয়েছে। এই সব কথা বাংলার মুসলমান জানে, বাংলার গরীব জনসাধারণ জানে, বাংলার তফ্‌শীলভুক্ত হিন্দু-সম্প্রদায় জানে। আজকে দেখছেন বাংলার গরীব সম্প্রদায়ের জন্য, বাংলার তফ্‌শীলভুক্ত হিন্দুদের জন্য আমাদের গদিচ্যুত মন্ত্রী মহোদয়দের চোখের জলে বুক ভেসে গিয়েছে; অনেক দরদ তাঁরা দেখাচ্ছেন। আমার এই পাড়াগেঁয়ে একটি প্রবাদের কথা মনে পড়ে। একটা কথা আছে "যারে না দেখেছি সে বড় সুন্দরী, আর যার হাতে না খেয়েছি সে বড় রাঁধুনী।" তোমরা কত বড় সুন্দরী তার চেহারা দেখিয়ে গিয়েছো পাঁচ বছর, আর তোমরা কত বড় রাঁধুনী তাও পাঁচ বছরে বোঝা গিয়েছে। আজ বাংলার জনসাধারণ বুঝেছে, হিন্দু বুঝেছে, মুসলমান বুঝেছে, তফ্‌শীলভুক্ত বুঝেছে, চাষী বুঝেছে, মজুর বুঝেছে। তাই এই দরদের কথাটায় গা ঢাকা যাবে না। তাই আজকে আমাদের বর্ত্তমান মন্ত্রীমণ্ডলীকে বলছি এবং বিশেষ করে Home Minister মহোদয়কে অনুরোধ করছি এই ঢাকার যে দুর্ঘটনা, এই দুর্ঘটনার বিশেষ তদন্ত হউক এবং তার বিশেষ বিচারের ব্যবস্থা হউক; এই আমি চাই।

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, there cannot be the slightest doubt that the two motions before the House relating to the unfortunate incidents in the Berhampore Jail and the Dacca Central Jail have aroused a degree of public excitement which has found unmistakable expression in the course of the debate which has taken place during the last two days. It is significant that although the debate was initiated by a member of the Opposition, Mr. Khwaja Shahabuddin, it is the members at the present moment supporting the Government who have contributed mostly to the debate and many of whom were anxious to participate in this debate in order to urge upon the Government the necessity of a thorough and sifting enquiry into these unfortunate incidents.

Sir, before I proceed further I wish to make an announcement to the House. The Jail Department is now, as is well known, administered by the Home Minister who is a sort of residuary legatee of all the departments which was not the case with my predecessor in office. The Home Minister as a human being has hardly the time and even the opportunity to make himself personally acquainted with the affairs of the jails in the province. A thorough overhauling of the machinery is necessary and the Jail Code has got to be revised and put on a satisfactory basis not merely from the point of view of the prisoners, but also for the sake of efficiency of the jail administration.

Sir, I am very strongly of opinion and I am supported in this opinion by my colleagues that as soon as the Assembly Session is over, one of the first things that we should do is to take up the question of the reforms relating to our jail administration. Sir, I am saying this in order to make it clear, to the House that we realise the facts that these two unfortunate incidents are very serious and, as has been pointed out by my friend Mr. Shahabuddin, that there is something wrong somewhere which has got to be immediately attended to and that these incidents point the way to the fact that close supervision by the jail authorities of prisoners is as much necessary as the supervision by the Government of the superintendents who are looking after the prisoners in jails.

Now, Sir, as regards the motions themselves, my friend Mr. Shahabuddin claims that they are simple and straightforward. I concede the claim for simplicity, but I cannot join issue with him as regards his claim that they are straightforward. They are not, and if I am permitted to use an expression which is very much unparliamentary as a form of expression and even a crime, I may say that they are "not honest." Sir, my friend Mr. Zaman in the course of a rather rambling statement has referred to one fact which we have got to bear particularly in mind in discussing the motions now before the House. No one can deny that my esteemed friend Sir Nazimuddin is not an efficient administrator, nor can we express the slightest doubt that he is not a genuine Muslim and a most ardent patriot. During the time when he held the charge of the Home Department a shooting incident had occurred at a place, namely, Haliganj, which is the constituency of my friend Mr. Farhad Raza Chowdhury of the Opposition. In that case the Muslims were shot down in broad daylight on a Muharrum day as a result

of a conspiracy which was discovered in the course of an enquiry by the Superintendent of Police, the Deputy Inspector-General of Police and the Inspector-General of Police and there were even suspicions that the Sub-divisional Officer of Jangipur was involved in that conspiracy. It was the duty of the then Government either to have a departmental or a public enquiry, and the Government held a departmental enquiry which showed that those officers—at least some of them—were guilty. But instead of these officers being punished, the Deputy Superintendent of Police was promoted to the rank of the Indian Police and was given the charge of my unfortunate district and others also got promotions instead of punishment. Now, Sir, I am not referring to Murapara. There again an enquiry was absolutely due, but could not be held, and I will not refer to Kulti where Muslims and Hindus were shot down and instead of enquiry in order to find out whether the shooting was justified or not, both Muslims and Hindus were prosecuted and sent to jail. Well, I am prepared to take my share of the blame if the blame attaches to the past Government, but I am only referring to the difficulty of having public enquiries whenever a shooting incident or a thing of this kind happens because there are so many factors which have got to be taken into consideration. Although it is easy for irresponsible critics to demand enquiry into every incident where apparently there may have been excesses committed by the permanent officials of Government, there are limitations to the exercise even of governmental power and those limitations have got to be kept in view before Government can come to a decision whether a public enquiry should be ordered or not.

Sir, my friend Mr. Shahabuddin and my esteemed friend Mr. Atul Chandra Sen demand not merely an enquiry but an enquiry by non-officials. Now, so far as I have been able to make out, there is hardly any precedent for a Committee of Enquiry composed of non-officials charged with the duty of investigating into the conduct of officials who in the course of the performance of duty may have in some cases overstepped the limits of discretion and may have committed acts which to the ordinary mind appear like a crime against the law of the land. The only occasion on which a non-official enquiry was ordered was the famous Hunter Committee which was appointed by the Government of India by reason of the fact that the incident of 1919, known as the Punjab Disorders, had created a situation of an all-India character, and it became necessary to have an enquiry to find out facts in order to apportion the blame if the officials were found guilty or to justify their actions if in the opinion of the Committee their actions were justified.

There have been Committees of Enquiry. Into the incidents of the Islamia College the late Government appointed a Committee of Enquiry. We appointed a Committee of Enquiry after the Dacca riots. There was a Committee of Enquiry known as the Adami Committee on the occasion of the Dacca riots of the early thirties. And it will be found that what is also wanted is not necessarily a non-official Committee but a Committee whose personnel commands public confidence, a Committee composed of persons who by their training, their past record as judges of facts and of evidence, their

well-known devotion to duty and reliability are fit and proper persons to institute enquiries into matters of the kind which we are discussing at the present moment.

Now, Sir, both these resolutions have raised certain questions of a very important character, and I feel that in discussing these motions I am skating on very thin ice, because I am placed on the one hand in the position as a non-official member of this House and the Leader of the House bound to give the utmost possible weight to the opinions of those who represent the people of the country and who support us in our office by their votes; on the other hand, as a Minister in charge of the Home Department, I am the head of the executive, and I am responsible for seeing that the permanent officials of Government receive the fullest support from unjustified attack and that they also get a hearing and an opportunity of explaining their conduct before they can be condemned. This does not mean that I wish to shirk the responsibility of facing the present position. I do not wish to prejudge the facts. I feel convinced, Sir, that the Dacca incident, at any rate, is an event which has perturbed public feeling to such an extent that it is absolutely necessary that the whole affair should be enquired into in all its aspects in order to find out how far the allegations that have been made are justified.

My esteemed friend Mr. Shaheed Suhrawardy, in the course of his general remarks on my statement, said that people had been shot down like rabbits. My friend Mr. Atul Chandra Sen has given a somewhat graphic description of what he feels has occurred. I have been to Dacca; I have been inside the jail; I have seen the various places to which the incident related and talked to people inside the jail. I have discussed the question with the security prisoners, and although I have not yet given out my own impressions on the evidence that has presented itself to me, I feel that a *primâ facie* case has been made out for a thorough and sifting enquiry.

Now, Sir, immediately after the incident took place, the District Magistrate of Dacca sent us a report. The report was dated the very day on which the incident took place. I may place before the House certain facts without comment, because I do not wish to prejudge the various issues that have been raised or are likely to be raised.

Sir, I will not take up very much the time of the House. I know that there is a very deep anxiety on the part of my friends of the Opposition to divide the House not merely on this resolution but also on other resolutions which have been tabled. The intention, Sir, is absolutely clear. Today when I came to the House I found that a change has come over the Opposition members. They are quietly sitting like lambs in their seats and there is a conspiracy of silence on their part without indulging in supplementary questions. The idea is to force an issue not so much on this but on two other resolutions, and I think that during the last 9 months my friends who had been foiled in their attempts to make a frontal attack have decided to table motions with which they themselves are not in the slightest degree in sympathy, but which they know will put some of the members on this side of the House in a rather awkward position.

Mr. DEPUTY SPEAKER: As they are not before the House, I hope you will not make any mention of those two resolutions.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not going to read them or to refer the wordings of those resolutions, but I know they are coming. I know what has been going on during the last few days. Sir Nazimuddin remarked very tauntingly that I am in the habit of saying that I have been in politics for 40 years. Well, Sir, I have been a parliamentarian, a member of the Council since 1913—just 30 years have elapsed—and if you read the Council debates of those days, you will find that I have never been a silent member of any Assembly or of any Council.

Now, Sir, with all this experience with which Providence has blessed me, can I not find out, Sir, which way the activities lie and for what purpose? I can assure the members of the Opposition that the members of the Progressive Coalition Party fully know their duty. (Cries of "good boys" from the Opposition benches.) They will show by their votes that as before they stand solidly behind their leader. (Interruptions.) Is the excitement over? I will create something more than disturbances today. They will show that they are defending this Ministry today with that grim determination with which the Russians are defending their country (Laughter.) The Russians have been fighting every yard and our supporters will fight not merely each yard, not merely each foot, but every inch. (Mr. FAZLUR RAHMAN: Is the Hon'ble Minister apprehending anything?) (A VOICE: Most probably he is.)

Sir, I can carry on the discourse for the whole day if I like. (Showing a number of files.) I have got so much before me, and it will be an act of mercy on my part if I cut short my statement. My friend Mr. Fazlur Rahman may rest assured that I have been a prancing counsel and always spoiling for a fight. Sir, I will not waste time, but I wish to give the House certain facts which will enable them to understand why is it that I have come to the conclusion that an enquiry is necessary.

Now, Sir, this takes me away from what I was going to say about my friends and supporters. The District Magistrate sent us a report. He disclosed facts which he came to know in the midst of the excitement that was prevailing in the city and in the midst of his preoccupation due to the circumstances created by the incident in the jail and that statement was slightly inaccurate. On the basis of that we published a press communiqué which most unfortunately contained certain expressions, namely, "*goonda* prisoners" and others to which my friends Mr. Abdur Rahman Siddiqi and Mr. Shahabuddin have objected, and I agree with them that it would be better for all concerned if not merely *goondas* but the term "*goonda*" was somehow effaced from the official records and from the soil of Bengal.

Mr. ABDUR RAHMAN SIDDIQI: Tell that to mummy! (Laughter.)

The Hon'ble Mr. A. K. FAZLUL HUQ: I will consider that suggestion. (Renewed laughter.)

Now, Sir, the District Magistrate of Dacca reported on that very day, and this is very significant, that there were certain circumstances which showed that there was a sort of conspiracy going on inside the jail. Sir, for brevity of reference, I will call the statement made demanding an enquiry as the case for the prosecution, and I will call the defence put up by the officials as the case for the defence. I do not say anything as regards the credibility or otherwise of the statement in this report of the District Magistrate, but it is a significant fact that the statement was made at the earliest possible opportunity and must necessarily be a very strong point in the case for the defence. Now the District Magistrate reported that intercepted letters showed that the programme envisaged a simultanous attack by "friends" from outside the jail, these friends being assembled from Dacca and the neighbouring districts. Further information, however, indicated that the Calcutta *goonda* prisoners proposed to take action on August 31st, and it was found that stocks of knives were already available. It was believed that the action would consist in a violent strike. It was accordingly arranged that the military should patrol the roads to the east of the jail, and the police the lanes to the west of the jail from dawn on the morning of August 31st, the Jail Superintendent being satisfied that his force inside the jail would be able to deal with internal trouble, provided we took care of whatever might happen outside. Now, Sir, on the 31st of August the incident took place very much in the manner in which my friend, Mr. Atul Chandra Sen, made his statement yesterday. The report is: "This morning, the Jailor opened the *goonda* wards (I regret that the word '*goonda*' has been used), as usual. The inmates of the first block gave no trouble, and immediately the gates were opened, behaved normally. The other blocks also behaved in a perfectly normal manner, and all the *goondas* were unlocked. (I again apologise for the word '*goonda*'). They then intimated their intention of refusing to work. The Jailor sent information to the Superintendent, who with a small retinue of unarmed wardens went to see what had happened. He found the *goondas* all sitting down in a long column in their yard. He asked them why they would not work and almost immediately those at the farthest end of the column rose and started hurling brickbats at him and his party."

Now, Sir, the counsel for the prosecution might point out that there was nothing to show wherefrom the *goondas* would have got these brickbats. At that time at any rate the bricks that were lying about by the side of the road stuck into the ground had not been taken out by anybody and when I went into the jail I did not see brickbats stored up anywhere or strewn on the ground and nobody told me that he had seen any piles of brickbats inside the jail on the day when the incident occurred. I am not at the present moment judging whether this statement is correct or incorrect. I maintain, Sir, that when the statement differs so materially, it justified the necessity of an enquiry.

Now the report goes on to say: "As the crowd grew near, he fired at the leaders with his revolver; but the mob was unchecked and the Superintendent and his party were forced out of the yard. A warder who attempted

to close the yard gate was laid out by a brick; but the Superintendent, using a gateman's umbrella as a shield, managed to bolt the gate. Stone-throwing continued and the Superintendent was forced away from the gate towards the south-west. Meanwhile the alarm had been sounding."

Here the House will be pleased to take into consideration the fact that according to this report they were being pushed out of the yard and, therefore, the theory that the firing at the people on the tree——

Mr. DEPUTY SPEAKER: How long will you speak? You have already taken 30 minutes. I hope in five minutes you will be able to finish.

The Hon'ble Mr. A. K. FAZLUL HUQ: No, Sir. I have got to go into the matter in some detail.

Mr. DEPUTY SPEAKER: Please try to finish your speech as early as possible.

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, as early as possible.

The House will remember that some of these people climbed up the trees and the defence case was that they were throwing brickbats from there and that therefore they were fired at from below. If these people had been pushed out of the yard, it is impossible to conceive how they could fire at the people who had got upon the tree. Secondly, as my friend pointed out, it is not only impossible to climb a tree with brickbats in hand, but I found on the day when I visited the jail the trunk of the tree was somewhat slippery. During the rainy season these trees are extremely slippery, and they are difficult to climb up, and if people had been climbing up with stones in their hands they must have taken some time and they should have been fired at before they could get to the top of the tree. In this connection there is a statement in the report of the District Magistrate himself that according to the jail authorities some of these people had climbed up the tree not for the purpose of throwing brickbats but to get branches as weapons. Therefore, throwing brickbats from the tree falls to the ground. In these circumstances, it becomes absolutely necessary to investigate at any rate that part of the incident which relates to the firing at people on the tree.

Now, Sir, I am trying to finish my speech as early as possible. I am therefore passing over various incidents that had taken place. On the day I left for Dacca I got a signed document from the political security prisoners —signed by more than a hundred of them—who said that they had witnessed the occurrence from their place and they asked me to go there personally and hold an investgiation. Sir, I went to the political prisoners who were located there and heard their statements. I got the impression that they were very material witnesses. As to whether they should be believed or not is a different matter.

Then, Sir, I came to know of an extremely horrifying fact about which it is necessary to hold a sifting enquiry. The total number of casualties

ascertained up to date is as follows. The final figures up to date are—killed 38 including two classes of prisoners who lost their lives and those who lost their lives in consequence of injuries received. Of these Hindus were 20, Muslims 15, Christians 2, and ordinary convict Hindu 1. All of them were security prisoners, otherwise known as *goondas*, except one. Of the 38, 19 were upcountry prisoners and 19 Bengalis. Of the 130 injured, 70 were upcountry prisoners and 60 Bengalis—Hindus 73, Muslims 55 and Christians 2. The total number of warders injured was 12.

Now I am told and I cannot vouch for the authenticity of the statement that no attempt was made by the jail authorities to hand over the dead bodies to the leaders of the respective communities for the performance of last rites. I am told that Hindus were put into holes dug for the purpose of burial and some Muslims were cremated. What should have been done was to hand over the dead bodies to their respective communities. In the case of Muslims it was very easy to hand over the bodies to the leaders of Muslims in Dacca for the last rites to be performed on those deceased persons. The Hindus similarly could have been handed over to the leaders of the Hindu community. It was very easy to have done that because it appears from the District Magistrate's report that he was in close touch with my esteemed friend, Mr. Salim. He mentioned in his report that a brief note of the incident was sent to the local radio and he also met Mr. Salim who telephoned to Sir Nazimuddin. Sir Nazimuddin was expected in Dacca that day and had promised all co-operation in seeing that his community made no rash move. With this assurance given by Sir Nazimuddin it is difficult to see how and why the district jail authorities did not hand over the dead bodies to either Mr. Salim, Sir Nazimuddin, or to somebody else. I think that this matter is so very serious that it requires the fullest investigation.

Now, Sir, after the report was received, we asked the Commissioner of the Division and the Inspector-General of Prisons to hold an enquiry. This was for the purpose of ascertaining facts, but my friend Mr. Shahabuddin was not prepared to accept their findings because he thought that for some reason or other both of them were untrustworthy. Well, Sir, I do not wish to say anything regarding the remark of my friend, Mr. Shahabuddin, but I find that this report is incomplete in material particulars. One reason given is that they had to send a report at a very short notice. As a matter of fact, we asked them to send a report on the 9th of this month. The Assembly was meeting on the 14th and Mr. Shahabuddin had already tabled an adjournment motion to discuss the Dacca Jail incident, and the Commissioner of the Divison and the Inspector-General of Prisons were asked to submit a report before the Assembly met. They had barely two days at their disposal and this accounts for the unsatisfactory character of the report which they have sent us.

Now, Sir, I have dealt with the salient points relating to this incident. Sir, I cannot ignore the fact that in Dacca there is such excitement both among Hindus and Muslims over this incident that I am convinced that nothing short of an open enquiry by a Committee consisting of persons in whom the public are expected to have confidence will satisfy the demands

of the various sections of the people. Sir, that excitement that prevails in the country has been fully reflected in this House, and if you had given the members of my party an opportunity to express themselves you would have heard strong speeches delivered, not merely strong speeches from members of my party but from all sections that not merely support the Government, but the sections that are now in the Opposition. In the face of the united demand of the representatives of the people it is impossible for Government to resist the demand for a thorough and open enquiry, but I must make one point clear. We cannot consent to an enquiry by non-officials. If it is an enquiry it will be an enquiry by men who have held high judicial office and who by the reputation they have already earned of honesty and public spirit can be depended upon to approach the consideration of the issues with a mind free from passion and prejudice and with a determination to find out the exact truth. If we find that any of the officials is guilty, I can assure the House that he will be adequately punished. While it is necessary that discipline should be maintained, that discipline must be maintained all throughout in the services as well as amongst those who have to deal with people in various capacities. Sir, the case for an enquiry into the Dacca Jail incident can therefore be disposed of very easily. We shall have an enquiry made, and we shall see that enquiry reveals all the facts, and that there is no shifting of issues or side-tracking of important questions that are involved. Luckily, Sir, this incident, it has been admitted by my friend Mr. Shahabuddn in the statement he proposed the other day, has no political complexion whatsoever. It is the case of an incident inside a jail, and the questions that arise are narrowed down to only three issues—What are the real facts? Is it possible to fix the guilt upon any particular person or persons? And if so, of what offences are they guilty? The enquiry is therefore of a very simple character which can be performed by men possessed of ordinary judicial acumen with the least possible difficulty.

As regards the Berhampore incident, may I point out that that incident took place nearly four months ago and that, although it was unfortunate, it bears no comparison with the incident that had occurred at Dacca. The casualties were not very high: two died on the spot and two succumbed to injuries: the total casualties therefore amount to four. On the other hand, a number of jail warders—14 in number—were more or less seriously injured. I happened to visit Berhampore the next day, and I found the compound littered with brickbats and stacks of brickbats were kept in stock in order to attack the jail people. The District Magistrate took immediate steps not merely to satisfy but to render the utmost possible help to the prisoners——

Khwaja Sir NAZIMUDDIN: What was the number of injured in the Berhampore Jail incident?

The Hon'ble Mr. A. K. FAZLUL HUQ: The number of convicts: killed—4 and injured—111. Jail and police staffs: killed—nil and injured—64 including the Superintendent, Deputy Jailor, three jail clerks, three head warders, 18 warders, one subedar and 37 constables.

Sir, I was satisfied that so far as that incident was concerned, the District Magistrate who was immediately on the spot and the jail authorities had done all that could possibly have been done to bring the situation under control and without causing any excessive loss of life by careless use of firearms. I thought that the report submitted by the District Magistrate was enough and on the basis of that report action has been taken against the superintendent of the jail and other persons.

So far as Berhampore, therefore, is concerned, I submit to the House that no case has been made out to reopen the facts of that unfortunate incident by ordering an open enquiry.

As regards Dacca, as I have submitted——

Khwaja Sir NAZIMUDDIN: May we know what action has been taken against the superintendent?

The Hon'ble Mr. A. K. FAZLUL HUQ: The superintendent was transferred and censured (A VOICE FROM THE OPPOSITION BENCHES: "And promoted!") and degraded—not promoted.

So far as Berhampore is concerned, I paid a visit the very next day. I went and saw and heard from those people who had suffered that firing was not resorted to until it was difficult for the jail authorities to control the ward.

In the case of Dacca there are so many points that require to be cleared up that I think that an enquiry should be ordered not only to find out what offence, if any, has been committed by the authorities, but also to give them protection if the allegations that have been made are unfounded and untrue. For the sake of the jail administration, for the sake of the officials and also to satisfy the almost universal demand on behalf of the people and of the representatives of the people in this House, I concede that a case has been made out for an enquiry.

Now, Sir, I want to make one point clear. So far as the resolutions are concerned, I will ask my friends to withdraw them. I hope my friend Mr. Atul Chandra Sen will withdraw his motion, and I hope my friend Mr. Shahabuddin also will do so, but if he were to press the motion in the form in which it is worded, I regret I will have no other alternative but to oppose his motion.

Khwaja Sir NAZIMUDDIN: On a point of personal explanation, Sir. The Hon'ble Chief Minister has mentioned Kaliganj, Murapara and Kulti on two occasions. On the first occasion I ignored it because the facts mentioned by him were so divorced from truth that I did not think it worth while replying, but as it has been repeated by him to-day I think it is only fair that I should tell the members of the House and the public what did actually take place on the occasion of the Kaliganj firing. After the firing I immediately went down to the spot and as a result of my visit there I was not satisfied with the report of the District Magistrate who happened to be a Muslim, as the official report practically exonerated the

police officers. I insisted on an enquiry, and a Deputy Superintendent of Police was deputed to hold an enquiry under the supervision of the Superintendent of Police. The report of the Deputy Superintendent of Police, to which reference has been made by the Hon'ble the Chief Minister, revealed a conspiracy and unjustifiable firing by the officers concerned. As a result of that report, the cases against 70 persons who were arrested were withdrawn and departmental proceedings were drawn up against some of the officers concerned. No action was taken against the Deputy Superintendent of Police, referred to by the Hon'ble the Chief Minister, as the report did not directly implicate him, but after the departmental proceedings it might have been possible to take action even against the Deputy Superintendent of Police.

Now, you want to know what happened to the departmental proceedings. They were not concluded at the time when I resigned office. The report was submitted to the Chief Minister.

Mr. DEPUTY SPEAKER: Sir Nazimuddin, I hope you will make a brief statement contradicting the statement of the Chief Minister. Please do not make a speech.

Khwaja Sir NAZIMUDDIN: I am sorry. Twice the thing has been mentioned and the Hon'ble the Chief Minister has laid great stress on it and what is unfortunate is, as I have said, that there has been a mis-statement of facts. It will be seen that I insisted on an enquiry and as a result of my insistence certain facts were revealed and the Inspector-General of Police had to take departmental action against his officers. Departmental proceedings were drawn up against the officers, and I believe the officers were suspended also. (Mr. CHARU CHANDRA ROY: "Were they promoted?") That is a question which you should ask the Chief Minister who is supposed to be a great *daradi* of the Muslims. (Mr. SYED MUSTAGAWSAL HAQUE: "What about the Subdivisional Officer?") The Subdivisional Officer was transferred immediately, but there was not enough material in the report of the Deputy Superintendent of Police to take action immediately, but the thing would have depended largely on the departmental proceedings which were going to be taken up.

As regards Murapara and Kulti, in these two cases also certain actions were taken by me, but as both these cases were *sub judice* as long as I was there, steps could not be taken effectively.

I may remind the House that in the case of the Islamia College an Enquiry Committee was held, and I claim that I had a great deal to do because I insisted on it. I am sure as Home Minister for the last 9 months the Hon'ble the Chief Minister realises that on every occasion that firing takes place, there is no justification for holding an enquiry. It is only where the Minister feels that the reports submitted by the officials are such that he is not satisfied that the firing was justified, it is only on those ocassions that the Minister should intervene. I have pointed out that in the case of Kaliganj, where intervention was necessary, I did intervene. In other cases, there was, as I said, no justification.

Mr. ATUL CHANDRA SEN: Sir, after I have listened to the very full and frank statement of the Hon'ble the Chief Minister, I would beg leave of the House to withdraw my motion, but permit me, Sir, to make a short statement in this connection.

Mr. DEPUTY SPEAKER: You cannot do that. You can only ask the leave of the House to withdraw your motion.

Mr. ATUL CHANDRA SEN: Sir, may I ask for leave of the House to make a short statement?

Mr. K. SHAHABUDDIN: On a point of order, Sir. I think that in his anxiety to withdraw the motion Mr. Sen is putting forward a proposition out of turn.. My motion was moved first, and I have got something to say before Mr. Atul Sen.

Mr. ABDUR RAHMAN SIDDIQI: Before you put the question, I would like to say a few words. Sir, the voice of the Chief Minister was drowned——

Mr. DEPUTY SPEAKER: Order, order. I cannot allow you to put any question. You can rise only on a point of order. I am sorry I cannot give you any information.

Mr. ABDUR RAHMAN SIDDIQI: I understand, Sir, that you gave a ruling four or five days ago. There is just one point I want to know on the basis of that ruling. We could not hear what had happened ultimately to the dead bodies of the Muslims, because the Chief Minister's voice was drowned.

Mr. CHARU CHANDRA ROY: Sir, Mr. Sen has asked for leave of the House to withdraw his motion. How can this question be raised at this late stage?

Mr. ABDUR RAHMAN SIDDIQI: I want to know from the Hon'ble Chief Minister whether he can give any information with regard to the dead bodies of the Muslims in the Dacca Central Jail. I would request him to repeat what he actually said.

The Hon'ble Mr. A. K. FAZLUL HUQ: So far as the deceased persons are concerned, their souls have gone to heaven, but as to what happened to their bodies I cannot say. I do not know that even now. There will be an enquiry on that point.

Khwaja Sir NAZIMUDDIN: On a point of order, Sir. You have repeatedly appealed to us that the Chief Minister should not be interrupted while he is speaking. An honourable member of this House could not catch what the Hon'ble Minister said, and he wants a repetition of the

words used by him. If he had interrupted the Hon'ble Minister he would have violated your direction. But now at the end of the Chief Minister's speech he requests the Chief Minister to repeat what he said. He has not asked for any additional information. Mr. Siddiqi only wants to know what the Chief Minister said about the disposal of the dead bodies of the Muslims.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the rumours are that some of the dead bodies of the Muslims have been cremated. I cannot of course vouch for their truth, but that would be one of the points of enquiry.

Mr. K. SHAHABUDDIN: Sir, as I moved a motion, I would like to exercise my right of reply.

Mr. SURENDRA NATH BISWAS: After the Hon'ble Chief Minister has replied, there is no right of reply.

Mr. K. SHAHABUDDIN: Sir, the other day you allowed the Leader of the Opposition to make further comments after the Minister in charge had spoken. In the same way, after I have replied to the debate, the Hon'ble Chief Minister may be given an opportunity to speak. I do not question that, but I submit that because the Hon'ble Chief Minister has spoken you cannot take away my right as mover of the motion to reply to the debate.

Mr. DEPUTY SPEAKER: Certainly you have a right to reply to the debate, but you did not make any attempt to come forward and reply to the debate.

Mr. K. SHAHABUDDIN: How can I reply to the debate unless I hear the Hon'ble Chief Minister? Sir, I submit that after hearing the Hon'ble Minister who replies on behalf of Government to the debate, the mover of the motion has a right of reply, and I think I can exercise that right. The Hon'ble Minister might have an opportunity to speak after the mover of the motion has spoken.

Mr. DEPUTY SPEAKER: Mr. Shahabuddin, all that I can say is that if you now give a reply, the Hon'ble Minister ought to be given another opportunity to speak. I think this matter has been sufficiently discussed, and no reply on your part is necessary, especially because the matter has been agreed upon between you and me just a few minutes before. Moreover, I want to finish two other important motions to-day. I will, therefore, put the question now.

Mr. K. SHAHABUDDIN: On a point of privilege, Sir. I yield to none in obeying your ruling, but where the right of a member is concerned, I stand firmly to exercise that right. You yourself have just now ruled that I have got the right of replying to the debate, and I submit that I must be given an opportunity to exercise that right.

Mr. DEPUTY SPEAKER: I am sorry, I cannot give you that right, because you came to me and we had an agreement. If you had given this information to me earlier, I would not have allowed the Chief Minister to speak. I am sorry I cannot give you that opportunity now.

Mr. FAZLUR RAHMAN: On a point of order, Sir. Will you kindly refer to rule 41? Under that rule the mover of the motion has the right of reply. That right cannot be taken away by you——

Mr. DEPUTY SPEAKER: What is your point of order?

Mr. FAZLUR RAHMAN: He should be given the right of reply.

Khwaja Sir NAZIMUDDIN: Sir, may I just explain to you why Mr. Shahabuddin after talking to you asked for his right of reply. It was because up to the end the Hon'ble Chief Minister did not disclose what he was going to do as regards the appointment of the Committee, whether he was going to accept it or reject it, whether it was going to be an official or a non-official Committee, if it was an official Committee, what was going to be the character of those officials who were going to be appointed. No indication of these things had been given. So naturally it is only after hearing him that he can exercise his right of reply. Supposing the Hon'ble Chief Minister had accepted the appointment of a Committee, then naturally Mr. Shahabuddin would not have exercised his right of reply.

Mr. DEPUTY SPEAKER: I do not deny that according to the rule he has got the right of reply, but Mr. Shahabuddin came to me and asked what I was going to do. I told him my programme of business. If he had said that he would give a reply, certainly I would have allowed him to do so. But now I had asked the Hon'ble Chief Minister to reply and he has already done so. If, at this stage, Mr. Shahabuddin is permitted to exercise his right, I will have to allow the Chief Minister also to give another reply. That I am not going to do.

I have also heard that complaints have been made that other important motions are not being allowed to be discussed in this House. I have, to the best of my ability, tried to accommodate the Opposition in every way. I will see that these motions are discussed in this House to-day. I will therefore not allow any reply from Mr. Shahabuddin just at this stage.

Mr. K. SHAHABUDDIN: On a point of privilege, Sir. In the first place an injustice has been done to me when you said that I went up to you and agreed to a certain procedure in which I consented that I would not exercise my right of reply. Secondly, Sir, I also think that your remark that an attempt is being made to shut out the discussion of other motions is very uncharitable. As a matter of fact, you know, Sir, that from this side of the House we have been making strong representation to you that we should be given ample and full opportunities to discuss the motion. To say that we are trying to avoid this discussion is very, very

uncharitable. On the point of privilege, I maintain that this is a right which has been given to me under the rules and you cannot take it away from me. You must allow me to exercise that right if I claim to exercise it.

Mr. DEPUTY SPEAKER: If the Hon'ble Chief Minister agrees to give a reply, I shall allow Mr. Shahabuddin to speak. In that case, I cannot allow him more than five minutes, and I hope that the Hon'ble Chief Minister will be able to finish his reply in five minutes.

Mr. K. SHAHABUDDIN: I don't like to take any notice of the irresponsible and wild remarks made by Mr. Zaman. The only thing which I want to point out is that the statement is not correct. I understand that Mr. Zaman said—unfortunately I was not then in the House, but I was told that Mr. Zaman said—that I represented to the then Chief Minister in a note or verbally that the mosque at Murapara was not a mosque but a dwelling hut. Nothing could be farther from truth than the statement of Mr. Zaman. (MR. CHARU CHANDRA ROY: "He is replying to Mr. Zaman and not to the Chief Minister".) No one knows better than the Chief Minister how strongly I maintain that the structure at Murapara is a mosque and that the Government should do everything possible to secure it for the use of the Mussalmans. Sir, in the last Session, I came forward with a resolution, but on the statement of the Chief Minister promising to do everything possible to secure the mosque for the religious purposes of the Mussalmans, I agreed not to move that resolution. I do not know whether the Chief Minister has moved in the matter since then, but at least after that reply the entire responsibility as far as the Murapara mosque is concerned is shifted on his shoulder. Coming to the statement——

Babu NARENDRA NARAYAN CHAKRABARTY: On a point of order, Sir. মাননীয় সহ-সভাপতি মহাশয়কে আমি জিজ্ঞাসা করছি যে, সমস্ত বিতর্কের অবসানের পর একটার পর একটা সাহাবুদ্দীন সাহেব যে বক্তৃতা করছেন, আমরা যারা Governmentএর সমর্থক তাদের পক্ষের লোকদের কি এই রকম বলবার অধিকার দেওয়া হবে, সেটা জানতে চাচ্ছি?

Mr. DEPUTY SPEAKER: I have already said that Mr. Shahabuddin will speak for five minutes and after that the Chief Minister will speak for five minutes.

Mr. K. SHAHABUDDIN: As far as the Hon'ble Chief Minister's speech is concerned, he has taken over 50 minutes, but he has very conveniently evaded to enlighten the public what he is going to do as far as the Enquiry Committee is concerned. Whether the Government has decided to appoint any Enquiry Committee and, if so, what will be its composition and what types of persons are going to form the Committee, we have heard nothing: beautifully vague, just promises. On the one

hand, he has spoken about the necessity of supporting the officials and their actions. This is the first time that we heard from the Hon'ble Mr. Fazlul Huq that it was at all necessary to do anything to support the officers. On the other hand, we find that his whole record and his Cabinet's record is disowning the action of the officers. I believe that it was to secure the support of the European Group on this matter. On this matter he was confronted with the demand from members belonging to his own party, memers belonging to the Forward Bloc; to pacify them he has vaguely told the House that it might be necessary to appoint a Committee. What type of Committee he is going to appoint and who will be its members—we have not heard anything.

As far as Berhampore is concerned, he said nothing except that he saw a large number of bricks stored up there and from that he concluded that there must have been a serious attack on the jail authorities and on the police and therefore they had opened fire. On the other hand, I made a definite statement that there also the shooting went on for a long time.

Mr. DEPUTY SPEAKER: Your time is over.

Mr. K. SHAHABUDDIN: Only one minute more. The prisoners in the Berhampore Jail were more or less situated in the same condition as in Dacca, but we have heard nothing. Of course about the number of casualties, he has said something, but we do not know whether the Committee which he is going to appoint is going to enquire into the incidents in both places. In the first place he has not given us an assurance——

(The member on reaching the time-limit resumed his seat.)

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, as regards Berhampore, I have already pointed out that I do not accept the suggestion for the appointment of a Committee. As regards the Dacca Jail incident, I would certainly say that a Committee of Enquiry will be appointed, but no Committee can be decided upon, far less its personnel, unless the whole question is discussed and accepted by the Cabinet. Therefore, I am not in a position to give details, but I promise that there will be a Committee of Enquiry consisting of persons who will inspire public confidence and whose investigation of the facts can be absolutely relied upon.

As regards the Murapara mosque, which has been introduced unnecessarily, I can read out from Mr. Shahabuddin's letter addressed to me which shows that in his opinion it was found that the Mussalmans accepted the position that the police were forced to open fire under the circumstances in which the police had no other option. As regards the mosque itself, it is known from its *pucca* buildings and there is no question of its being a mosque. As regards the use of the mosque by the Muslim community attempts are being made, and they will be successful, if Mr. Shahabuddin does not in his wisdom think it necessary to interfere in the action that we are going to take. He is a man of vast influence and he knows how

to make or unmake things. If he interferes we may not be able to succeed. But there will be no efforts lacking on our part to arrive at a satisfactory solution.

The motion of Mr. K. Shahabuddin that this Assembly is of opinion that the Hon'ble the Chief Minister's statement in regard to the incidents in the Berhampore and the Dacca Jails is extremely meagre and unsatisfactory and that immediate steps should be taken to appoint a non-official Committee consisting of the members of the different parties in the Legislature to enquire into those incidents and to report within a week, was then put and a division taken, with the following result:—

AYES—43.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Ahmed Hosain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Farhut Bano Khanam, Begum.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Ispahani, Mr. M. A. H., M.B.E.
Jasimuddin Ahmed, Khan Sahib Maulvi
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Razaur Rahman Khan, Mr.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

NOES—116.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Paiwan, Mr. Md.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badrudduja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.

Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Edbar, Mr. Upendranath.
Faziul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gladding, Mr. D., C.I.E.
Golam Rabbani Ahammad, Maulvi.
Gomes, Mr. R. A.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasanuzzaman, Khan Sahib Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hodge, Mr. H. R.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kumar, Mr. Atul Chandra.
Lahiri, Babu Ashutosh.
Mafizuddin Ahmed, Dr. (Bogra).
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mustagawsai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Norton, Mr. H. R., M.B.E.
Poddar, Mr. Anandilal.
Raikut, Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Roy, Shib Shekhareswar, Kumar.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Dr.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. J. R.
Wordsworth, Mr. W. C., C.I.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 43 and the Noes 116, the motion was lost.

Mr. DEPUTY SPEAKER: Leave has been asked by Mr. Atul Chandra Sen to withdraw his motion. Is there any objection?

Khan Bahadur MOHAMMED ALI: Sir, I object to leave being granted for withdrawing the motion.

The question that leave be granted to Mr. Atul Chandra Sen to withdraw his motion, namely,—

"This Assembly is of opinion that a mixed Committee with a non-official majority should forthwith be constituted to enquire into the recent shooting incident in the Dacca Central Jail which took place on the 31st August, 1942, in which several prisoners lost their lives and others were more or less seriously injured and to report to the Government the nature and the causes of the occurrence, the number of the casualties, the circumstances under which firing had to be resorted to and as to whether firing was at all necessary or to the extent it was resorted to and also to recommend to the Government suitable action against any jail official or officials who in the opinion of the Committee have been guilty of causing unnecessary loss of lives or of any other excesses.

House is further of opinon that in order to enable the aforesaid Committee to investigate facts properly the present Superintendent of the Jail should forthwith be relieved of his duties or transferred elsewhere."

was then put and a division taken with the following result:—

AYES—112.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Palwan, Mr. Md.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Anwarul Azim, Khan Bahadur Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Edbar, Mr. Upendranath.
Faziul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gladding, Mr. D., C.I.E.
Golam Rabbani Ahammad, Maulvi.
Gomes, Mr. R. A.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasanuzzaman, Khan Sahib Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.

Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hodge, Mr. H. R.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra.
Lahiri, Babu Ashutosh.
Mahzuddin Ahmed, Dr. (Bogra).
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, Maharaja Srischandra, of Cossimbazar.
Nasker, Mr. Hem Chandra.
Norton, Mr. H. R., M.B.E.
Paul, Sir Hari Sanker.
Poddar, Mr. Anandilal.
Raikut, Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Roy, Shib Shekhareswar, Kumar.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Skipwith, Mr. W. E.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Thakur, Mr. Pramatha Ranjan.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M., C.B.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

NOES—43.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Metaleb Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Masud, Kazi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Ispahani, Mr. M. A. H., M.B.E.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Razaur Rahman Khan, Mr.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

The Ayes being 112 and the Noes 43, the motion was agreed to.

The motion was then by leave of the House withdrawn.

Mr. DAVID HENDRY: Mr. Deputy Speaker, Sir, I beg to move the motion standing in my name: "This Assembly is of opinion that the measures taken by the Bengal Government to maintain law and order since the initiation of the present Congress campaign should be supported."

Sir, I shall endeavour to be brief and also let you into a secret. When we first tabled this motion, it was for the purpose of ensuring that we would have an opportunity of speaking on law and order during this Session and not be entirely dependent on motions submitted or tabled by other members for that purpose. During the debate on the Chief Minister's statement, however, we had an opportunity of expressing our views on law and order and we were then quite prepared to withdraw our motion. After the debate on the communal ratio in the A. R. P. Services, however, we felt that the Government should have a further opportunity of making a statement on law and order and that this House—and particularly the Ministry—should have an opportunity of according their fullest support to their Government officers on the measures which they found necessary to maintain peace in the province. Allegations have been made against Government officials from time to time during the recent disturbances and they have no one but the Government whom they serve to defend them. The impression, however, has been allowed to grow up that this Government is inclined to disown responsibility for them and their actions and that Government is trying to evade that responsibility by saying that hey have not been consulted. That impression was certainly not dispelled uring the A. R. P. debate, and although there were special features in hat particular case concerning official responsibility which did not apply o the more fundamental question of Government supporting its officers nd the administration as a whole, we consider that this motion of ours ecame all the more necessary on account of a few remarks which the hief Minister made at the end of his statement involving officers other han A. R. P. and in which he appeared to disown responsibility for their ctions as well. After that statement the matter obviously could not be llowed to rest there and, furthermore, this motion of ours is a simple traightforward issue, perfectly clear, free from complications, and it is ur hope that this debate will clarify the position and give Government nd this House an opportunity which both should welcome in no uncertain anner of accepting full responsibility for the officers who are serving overnment and the province so gallantly and courageously in these angerous and difficult times. No Government which is worthy of the ame of a Government and no Government which values peace, good-will, r good government now or in the future, under this regime or under any ther regime which will ultimately take its place can do other than support is motion emphatically and sincerely (Cries of "Hear! Hear!" from the pposition benches), and I hope the whole House will today show its sense f responsibility in this matter and accord its unanimous appreciation to e work done by the officers of Government and the administration in reventing the spread of disorder and anarchy and saving this province

from disaster. These officers—and I would here point out that they are mainly Indian officers, District Magistrates, Magistrates of all grades, Police officers, Railway officers, postal employees and so on—have all carried out their duties loyally and devotedly in the face of insults, slanders and physical danger to preserve peace and order in the daily life of the province. Faced with the wanton destruction of property, sabotage of vital communications, interference with personal liberty, and, at times, with brutal and unprovoked murder these faithful servants have magnificently stuck to their posts and, in doing so, have saved the people of this province from widespread bloodshed and misery. In carrying out these duties, many of them have had unpleasant tasks forced upon them by these disturbances. They must be assured that Government and this Legislature stand strongly behind them and firmly support them in their difficult tasks. Excess of zeal at times there may have been, and it may be that the force used at times may have been in excess of that normally required to restore law and order, but considering the great strain under which the administration is working at the present moment, I think that the restraint they have shown is proved by the comparatively small number of casualties, particularly killed, which have taken place during the recent troubles which are undoubtedly of a much more serious and widespread nature than any this province has seen for many a long day. No one can regret more than we do unnecessary loss of life, but it must be remembered that the Government and its officers who have had innumerable difficult situations forced upon them can in no way be counted as the aggressors. Where it is alleged that excessive force has been used, then the correct procedure as pointed out by Mr. Gladding yesterday is for an official or departmental enquiry to be carried out in the first instance, and where special features indicate that a fuller enquiry is necessary then and only then should a judicial enquiry be resorted to as has been done this morning; and I hope that the enquiry as indicated in this morning's debate *will* be of a judicial nature. We in this party cannot deprecate too strongly the constant request which is being made for non-official public enquiry in every case in which force has had to be used in restoring law and order. That constant request for public enquiry can only have the effect of undermining the confidence of the officers and the administration on whom the peace of this province depends. These officers faced with mob violence must be made to feel that they can have confidence in the Government whom they serve and the people of the province. If that confidence is undermined, then peace and good order or any ordered government in the province will go to pieces. That confidence, Sir, I submit, is a most valuable asset which this Government must pass on to its successors unimpaired in every way and that confidence can only be maintained if the constant request for public enquiry is strongly resisted. What is really needed, Sir, is not so much non-official enquiry but both official and non-official support for these forces of law and order, and I hope that will be forthcoming today.

Now, Sir, in case it may be considered that I am engaged in criticising this Government, I would like to make it perfectly clear that I am not.

In the debate on the Chief Minister's statement, I took the opportunity of congratulating the Ministry on the way in which it had performed a very unpleasant but very necessary task. We are not here criticising the Government. We think that in these difficult circumstances they have done extremely well, and I would like to take this opportunity again of making that perfectly clear. The Chief Minister has already admitted the responsibility of his Government in maintaining law and order and peace in the province, but what is required is that he should go a step further and state clearly and unequivocally that he will support his district officers in the performance of their daily duties even when these involve unpleasant use of force which may later be subjected to an enquiry. All that we are asking for in view of the allegations which have been made against Government is that this Government will come absolutely clean on this issue. It is essential that they should do this, so that the confidence of the officers in the districts may be restored. And I am sure that if Government will make that assertion and make it strong enough, it will be greeted with approval by all responsible elements in this House.

(Khan Bahadur Maulvi Aulad Hossain Khan rose to speak.)

Mr. DEPUTY SPEAKER: Order, order. Mr. Tamizuddin Khan will now move his motion.

Khan Bahadur MOHAMMED ALI: Sir, Khan Bahadur Aulad Hossain Khan had tabled an amendment to the special motion moved by Mr. Hendry. I believe that the amendment has not been allowed by you. We would like to know the reason.

Mr. DEPUTY SPEAKER: I have ruled that amendment out of order.

Khwaja Sir NAZIMUDDIN: As far as the amendment which has been ruled out of order is concerned, according to the rules, the amendment is not subject to any previous approval of the Ministers because once a motion is admitted, it is subject to the rules that apply to a motion. Nowhere in the rules is it stated that an amendment to a special motion requires the consent——

Mr. DEPUTY SPEAKER: You are under a misapprehension. When the motion is admitted by me and the consent of the Minister has been given, for the amendment the consent of the Minister is not necessary. I have disallowed the amendment on other grounds.

Khan Bahadur MOHAMMED ALI: May we know the reason, Sir?

Mr. DEPUTY SPEAKER: If you want to know the reasons, you may see me in my chamber.

Mr. TAMIZUDDIN KHAN: Mr. Deputy Speaker, Sir, I beg to move that this Assembly is of opinion that the policy of the Bengal Government in relation to the disturbances that have been taking place in various parts of this province since the arrest of the Congress leaders should be disapproved.

Sir, this resolution seeks to condemn the policy of this Government in relation to the disturbances. Now, before I give my reasons for disapproving the policy of the Government let us try to see what the policy of the Government is. We, on this side of the House, have tried our best to make the Government state their policy in this respect on the floor of the House, but hitherto without any success. You remember, Sir, that during the general discussion on the statement of the Hon'ble Chief Minister, we, from this side of the House, definitely charged the Government with sitting on the fence as regards this important matter and practically threw out challenges to Government to come out with a straightforward declaration of their policy, but the Government kept silent. Whether it was cowardly or courageous on the part of the Ministry to keep *chup* on such an important matter is for the House to judge. So far as the Ministry is concerned in this particular respect they can be divided into two definite categories. One category may be characterised as vocal but unfortunately equivocal also, and another category deliberately silent. So far as the vocal Ministers are concerned you know, Sir, that on more occasions than one they have declared that they do not agree with the policy of the Government of India in taking action against Mr. Gandhi and the other Congress leaders: that they do not approve of what they consider to have been precipitate action on the part of the Government of India and that they think that the Government of India ought to have allowed Mr. Gandhi further time and opportunity to negotiate with Viceroy, but actually, I think, to mature his plans. Sir, that being so, that being the declaration of the two Chief Ministers, the *de facto* and the *de jure* Chief Ministers, what are we to do? The other Ministers being silent, are we not justified in taking their declarations to be the policy of the Government as a whole? I think I am justified in doing that. Not only have these two Chief Ministers disapproved the policy of the Government of India, but they are out to teach a lesson to the Government of India. They have preferred appeals not only to the British Prime Minister but also to President Roosevelt, Dictator Stalin and Marshal Chiang-Kai-Shek. So far as his appeal to Mr. Churchill is concerned, that has unfortunately been summarily rejected. But our undaunted Ministers have chosen to ask for a review of judgment. So far as the other world figures are concerned, I do not know what reply they have given to their appeal. I hope the Hon'ble Minister will enlighten the House as to what is the fate of their appeal to these world notables. Now this raises an important question,—the attitude of the Ministry. What is the reason that makes them not agree with the Government of India? Their real reason one can very easily see. The real reason is that if they agree with what they call the repressive policy of the Government of India, then they lose the support of their followers in this House. At least, they lose the support

of that section of their followers who still swear by the name of the Congress, and if they lose their support they lose their present position which they are not prepared to do. They fear that if they have to vacate the vacuum will be filled up by the Muslim League. To them that is a catastrophe far more dangerous than what some of us consider to be the advent of the Japs. They are far more keen to keep out the Muslim League than we are keen to keep out the Japanese. That is the real reason. (Interruptions.)

Mr. DEPUTY SPEAKER: I hope there will be no disturbance.

Mr. TAMIZUDDIN KHAN: Now, Sir, if actually they contend that they are carrying out the policy laid down by the Government of India whatever may be their psychological or ideological differences with that Government, that should satisfy all and sundry; this certainly is a plausible plea. But, Sir, I think that this plea, though plausible is not at all satisfactory and cannot stand close examination. Now, Sir, if they say that they are carrying out the policy of the Government of India, may I ask them whether they are carrying out that policy with the support of all their followers in this House? Are the members who still swear by the name of the Congress supporting them in this policy? Have these members supported them in the arrest of Mr. Sasanka Sekhar Sanyal, the Chief Whip of the Party led by Mr. Bose? Are they supporting the policy of the Bengal Government or the action of the Government in arresting Mr. Satya Priya Banerjee, the Secretary of that Party? We want to know whether this Government is having the support of all their followers in this House in carrying out this policy? May I ask—I have stated the real reason—may I ask what other reasons this Government may put forward for their present attitude? Many have said, and probably this Government will say, that the Government of India was not justified in taking precipitate action. Let us examine the position whether the Government of India were justified or not. Sir, what was the position in the country? The position was this, that Mr. Gandhi and the Congress in hot haste suddenly made a strategic change of their policy. They discarded their quarter-of-a-century-old plank of Hindu-Muslim unity being a condition precedent to the attainment of independence. Now, Mr. Gandhi declared and other Congress leaders agreed with him that Hindu Muslim unity must follow and not precede the attainment of independence. What was the reason? Along with that let us also see that Mr. Gandhi declared that the movement he was going to start would be nothing short of open rebellion—that is what he said; and a lieutenant of his, Sirdar Patel, said that the movement would be in the nature of *blitzkrieg* capable of forcing the issue in the course of a week. May I ask, when Sirdar Patel made that statement, did he not know what the plan was? Did he make that statement without knowing the nature of the programme, without knowing the nature of the action that was contemplated by the Congress? Certainly not.

Then, Sir, there is another aspect of the situation. Mr. Gandhi must be given this credit that he understands his own plans far better than his

followers in this House. Now, when he and his colleagues were maturing the "quit India" programme, if I may say so, did he not know, did they not know, that at any moment they might be put under arrest and detention? It would be an insult to the intelligence of those gentlemen to suppose that they did not know that they were likely to be arrested. Can we believe that they did not consider what would be the fate of their programme and policy after they were put under arrest and detention? They must have known that and having known that they must have prepared their plan and they must have matured their plan. You cannot say—it is likely that they may have matured their plans but these plans could not be given effect to because they were put under arrest; if these plans could be given effect to, the situation would have been far different from what these people are now doing throughout the length and breadth of the country. Can they seriously advance such an argument? I suppose not. If actually their programme was different from the programme that is now being carried out, can we reasonably suppose that that programme would have been kept in abeyance for so long a time since 8th August last? Certainly not. Where is that programme? They could never think that after their arrest their programme should be brought to naught, and that it would not see the light of day. Therefore, Sir, it is as clear as daylight that the present acts of sabotage, the present acts of murder and looting that are now being perpetrated throughout the length and breadth of the country are nothing less than the programme of Mr. Gandhi and the Congress. (Cries of "Hear! hear!" from the European benches.) That being so, have these Ministers any plausible reason for disagreeing with the Government of India? I think not. I need hardly refer, Sir, to the other evidence that the Government of India have got in their possession. I may refer to one—the programme of work of the Andhra Provincial Congress Committee. Sir, the Congress is shy of Pakistan. They are not prepared to concede Pakistan to the Muslims, and I may certainly assume that the Congress has not also conceded Pakistan to the Andhra Provincial Congress Committee. If that is so, the Andhra Provincial Congress Committee programme must have been in accordance with the all-India programme of the All-India Congress Committee. And what does that programme show? The programme shows that it is not very different from what is being done in the name of the Congress by all these miscreants. This, I think, demolishes the standpoint taken by the friends of the Congress or of Mr. Gandhi and other Congress leaders that they do not approve of the acts of violence that are now being committed.

Now, Sir, we have seen that this Ministry has no reason whatever to disagree with the Government of India. Let us see what has been the effect in this province of their policy of sitting on the fence. This is a problem with which we are more directly concerned. Before I consider that in detail I should like to survey the general situation in Bengal. So far as the external situation is concerned, no one can deny that it is extremely menacing. The Japanese enemy is standing with brandished arms on our eastern doorstep and a more formidable enemy, the Germans,

is trying to rush with mad fury towards our western gate. That is the external situation, Sir, and what is the internal situation? We know that Burma and Malaya were full of fifth columnists who rendered every possible help to the enemy when it invaded those two countries. Those fifth columnists there contributed in a very large measure to the defeat of the British arms and now we can quite reasonably assume that Bengal also is full of fifth columnists. (Mr. GIASUDDIN AHMED: "Like you.") The whole world knows like whom.

Now, Sir, I come to certain closer facts. Every one knows that Mr. Subhas Chandra Bose, who was the founder of the Forward Bloc and who has thousands of followers in Bengal, has openly joined with the enemy. He is now preparing to come and attack India with the help of Axis Powers. (Mr. ATUL KRISHNA GHOSE: "How do you know? Have you been taken into confidence?") Now, Sir, his brother, Mr. Sarat Chandra Bose who was his successor as Leader of the Forward Bloc and of the Bose Group in this House, was arrested and put under detention because the Government of India is satisfied of his contact with the Japanese enemy. That being so, may I ask whether my honourable friends opposite believe that Mr. Subhas Chandra Bose and his brother, Mr. Sarat Chandra Bose, have no followers in the province? Do they actually believe that? Can they maintain that? That shows what a grave situation there is in Bengal. If in a situation like this the Government follows a policy of shilly-shally, if the Government does not condemn these acts of violence, what are the likely results? One likely result is a definite encouragement to the saboteurs, encouragement to the fifth columnists, encouragement to the Japanese. Also, Sir, I maintain that it is an encouragement to the misguided youths of Bengal.

Mr. SURENDRA NATH BISWAS: On a point of order, Sir. The motion moved by my friend Mr. Tamizuddin Khan is that, "This Assembly is of opinion that the policy of the Bengal Government.....be disapproved". But I have heard him say that he does not know what the policy of the Government is and he has also said before the members of this House that the Ministers have not declared their policy. In his motion he wants to disapprove the policy of the Government. Is that motion in order or is it consistent with his speech?

Mr. DEPUTY SPEAKER: He is trying to develop his arguments.

Mr. TAMIZUDDIN KHAN: Sir, I was going to say before I was interrupted that the attitude of the Ministry is also an encouragement to the misguided youths of Bengal. So far as these young men are concerned I have nothing but the greatest respect for them, the greatest respect for their patriotism, the greatest respect for their spirit of sacrifice; but being young they are also impetuous and easily liable to be misguided, and the Ministry by its present policy has been misguiding these unfortunate young

men. This is the greatest harm that could possibly be done to these young men of Bengal. Many of them have already lost their lives, many have been shot down, many have been put behind prison bars and many more will be convicted and will either be hanged or imprisoned. This is one of the results of the policy of the Government—I mean the Bengal Government. (Loud cheers and laughter from the Coalition benches.) (Mr. ATUL CHANDRA KUMAR: "The cat is out of the bag".) I hold this Government responsible for all this.

Now, Sir, on the one hand it is an encouragement to these undesirable elements; on the other hand it is a positive discouragement to the officials of Government who are trying to quell these disturbances. It is a discouragement to the unfortunate Government officials who have to bear the burnt of the fight; many of whom have been killed, many of whom have been burnt alive. It is also a discouragement to the law-abiding sections of the public to raise their voice of protest against these acts of sabotage.

I have shown, Sir, that the attitude and the policy of the Ministry is fraught with grave danger. The situation is grave enough as it is, and it has been rendered far more grave by this vacillating policy of the Government of Bengal. Sir, may we demand that the Government now at least should make a clear declaration of its policy? Is it prepared to condemn these acts of sabotage and take the responsibility of what is being done by its officers in this respect upon its own shouders as it should do with justice.

Sir, very often we are told that no helpful suggestion comes from the Opposition to the Ministry. If the Ministry will kindly permit me, I make a suggestion. My suggestion is this. If they are actually sincere in putting down what I may call this rebellion, if they actually condemn these acts of sabotage, are the Caste Hindu Ministers prepared in conjunction with their Forward Bloc supporters in this House to issue a statement through the press first of all condemning this movement, condemning these acts of sabotage, and, secondly, appealing to the people of Bengal, appealing to the youth of Bengal, particularly to the Hindu youth, to desist from this suicidal movement? Are they prepared to issue a statement like that? If they issue a statement like that through the press that will put an end to this undesirable and unhappy controversy that has arisen over the policy of these Ministers. That will be the test of their sincerity. If, on the other hand, they do not give a clear answer as to what is their policy or if they are not prepared to issue a statement and to issue an appeal as suggested by me, then, Sir, what will happen? The doubt that now exists in the minds of many people in this province that these Ministers are in secret sympathy with the perpetrators of violence will be all the more strengthened. I submit, Sir, that the Congress Ministers will flatly deny not only by their words of mouth but by their action also, *i.e.*, by issuing a statement like this—that the Congress Ministers of Bengal have no secret sympathy with the subversive movement. The cloud that

overhangs the atmosphere of Bengal must be lifted and the country should no longer be left in doubt that if and when the Japanese come there will be a wholehearted effort on the part of the Ministry to thwart them and not to welcome them.

Adjournment.

It being 11-38 a.m.—

The House was adjourned till 8-45 a.m. on Wednesday, the 30th September, 1942, in the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 30th September, 1942, at 8-45 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 175 members.

(Secretary called the starred question No. 68.)

Point of order.

Mr. SYED ABDUL MAJID: On a point of order, Sir. What is the number of questions of the last session that are pending, i.e., yet remaining to be answered?

Mr. DEPUTY SPEAKER: Just after the question time, I will give you the answer.

STARRED QUESTIONS

(to which oral answers were given)

Release of Babus Ramesh Chandra Chatterjee and Suresh Chandra Das under 14 years' rule.

*68. **Mr. SATYAPRIYA BANERJEE:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that 14 years' rule applicable to prisoner convicted of life sentence has not been applied in the cases of Sj. Ramesh Chandra Chatterjee of Barisal, and Sj. Suresh Chandra Das of Faridpur, who are now lodged in Dum Dum Central Jail?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to consider the desirability of making an enquiry into the above cases and taking necessary action thereon?

(*c*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for not releasing the above named prisoners under the 14 years' rule?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) The case of Ramesh Chandra Chatterjee was considered and that of Suresh Chandra Das is being considered under this rule.

(*b*) Does not arise.

(*c*) Ramesh Chandra Chatterjee was not released under the 14 years' release rule as he was not considered fit for this concession. About Suresh Chandra Das the honourable member is referred to the answer to question (*a*) above.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state the nature of the offence for which these two gentlemen were convicted? Under what section were these two gentlemen convicted?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I have not got the papers with me. I cannot answer it now.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether exercise of the 14 years' rule is discretionary on the part of Government?

The Hon'ble Mr. A. K. FAZLUL HUQ: All releases are matters for the discretion of Government.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state who exercises this function of discretion?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Minister in charge of the Home Department.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state when the consideration of the case started?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer this question offhand.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state what stood in the way of Government's exercising 14 years' rule in the case of Ramesh Chandra Chatterjee?

The Hon'ble Mr. A. K. FAZLUL HUQ: That question I refuse to answer.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state how long the case has been under the consideration of Government?

The Hon'ble Mr. A. K. FAZLUL HUQ: If the Minister is active, it will take a very short time. If not, it may take six months.

Khan Bahadur MOHAMMED ALI: My question is not how long it will be under consideration. My question is how long it has been under consideration?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I remember, about a couple of months.

Mr. K. NOORUDDIN: Will the Hon'ble Minister kindly state under what category he falls when he says "if the Minister is active"?

The Hon'ble Mr. A. K. FAZLUL HUQ: I leave it to the judge.

Mr. FAZLUR RAHMAN: On a point of order, Sir. When the Hon'ble Minister speaks he should rise in his seat.

Mr. DEPUTY SPEAKER: He did.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state what more time is expected to be taken just for the completion of the consideration?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is a question which I cannot answer.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if he is considering the desirability of expediting the disposal of this case?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, I may re-examine it.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what were the reasons for arriving at the conclusion that the case of Babu Ramesh Chandra Chatterjee was not fit for this concession?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer that question. I refuse to answer that question.

Mr. FAZLUR RAHMAN: On a point of order, Sir. No Minister can refuse an answer to a question unless he claims that it is in the public interest that he refuses to answer the question. The Hon'ble Minister has not said that. He cannot treat this House with this contempt and slightness. Simply to say that I refuse to answer is discourteous. Mr. Deputy Speaker, Sir, I want your ruling on this point.

Mr. DEPUTY SPEAKER: As I have already said, I cannot force a Minister to give a reply. If a Minister refuses to answer I cannot help it. It is for the House or for the members concerned to move a motion in order to have their grievances redressed.

Khan Bahadur MOHAMMED ALI: Sir, you have said that you cannot force a Minister to give a reply. I think as the custodian of rights and privileges of the House, you are entitled to compel a Minister to answer a question, and you should do that, so that the rights of the Opposition may not be jeopardised.

Mr. DEPUTY SPEAKER: I am asking the Chief Minister whether he meant that the question could not be answered in the public interest.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, may I make the point clear? When I said as the Minister in charge of the Department that I refused to answer the question, common intelligence ought to take it that I said that it was in the public interest.

Mr. H. S. SUHRAWARDY: Common courtesy demands that the Hon'ble Minister should frame his answer in the proper manner.

The Hon'ble Mr. A. K. FAZLUL HUQ: Common courtesy demands that there should be courtesy on both sides.

Mr. H. S. SUHRAWARDY: I request the Hon'ble Chief Minister not to be carried away by his majority.

Persons dealt with in Bengal under the Defence of India Rules.

*69 (SHORT NOTICE). **Rai HARENDRA NATH CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing district by district how many persons have been since August 7, 1942—

(*i*) arrested under the Defence of India Act and Rules;

(*ii*) detained under the Defence of India Rules (*a*) 129, (*b*) 26; and

(*iii*) convicted under the Defence of India Act and Rules?

(*b*) Is it a fact that many persons detained in pre-Reform days under Regulation III of 1818 have been arrested and detained under the Defence of India Act as security prisoners without any reference to their present political activities?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state what are the offences that each one of such detained persons committed or intended to commit?

(*d*) Is it a fact that persons convicted and sentenced to long terms of imprisonment before 1935 are being arrested and detained as security prisoners immediately on the expiry of their terms of sentences without waiting to see how they conduct themselves after release?

(*e*) Is it a fact that a large number of persons and even members of the Legislature have been detained without any evidence of subversive activities on their part?

(*f*) If the answer to (*e*) is in the negative, will the Hon'ble Minister be pleased to state what are the offences that each one of the detained M.L.A.'s committed or intended to commit?

(*g*) Is the Hon'ble Minister aware—

(*i*) that there exists a feeling in the public mind that the cases of persons arrested under the Defence of India Act and Rules are not placed before the Hon'ble Minister immediately after their arrest; and

(*ii*) that for the delay the persons detained under rule 129 find themselves converted into long term security prisoners under rule 26?

(*h*) Will the Hon'ble Minister be pleased to state what steps, if any, he is proposing to take to prevent such uses of Defence of India Act and Rules as are referred to in (*b*), (*c*) and (*d*) and ensure expeditious examination of the cases of persons detained under rule 129?

The Hon'ble Mr. A. K. FAZLUL HUQ: Full details are not available and their collection will take time: if the honourable member putting the question desires to have full details, I must ask him to table a question with the usual notice.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state when this particular question reached his department?

The Hon'ble Mr. A. K. FAZLUL HUQ: It reached me about a week ago, and I have been trying to collect information from various districts. Information from all the districts has not reached me yet, and that is why I said that it will take some time.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether he has received up till now any information from any district?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, I have received information from some districts.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state what were the difficulties that stood in the way of the Hon'ble Minister to make a reply with regard to question (*g*)(*i*)?

The Hon'ble Mr. A. K. FAZLUL HUQ: There is no difficulty, but I thought that a complete reply would be most suitable and therefore I have withheld answering this question until I receive complete information.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state from how many districts he has received information?

The Hon'ble Mr. A. K. FAZLUL HUQ: From half a dozen.

Maulvi AHMED ALI MRIDHA: With reference to question (*g*)(*i*), will the Hon'ble Minister be pleased to state if he is ready to make an answer on this point?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, I cannot give an answer to that question now.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to name the districts from which he has received information?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not remember.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state the approximate number of cases that he has received from the districts from which he has received information?

The Hon'ble Mr. A. K. FAZLUL HUQ: About half a dozen.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the names of members of the Legislature who have been detained?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is a big list and I cannot say offhand the names.

Khan Bahadur MOHAMMED ALI: With reference to question (*e*), viz., "Is it a fact that a large number of persons and even members of the Legislature have been detained without any evidence of subversive activities on their part", the Minister asked for notice. I am sure he has got at least the names of members of the Legislature who have been detained?

The Hon'ble Mr. A. K. FAZLUL HUQ: The names are—

(1) Mr. Satya Priya Banerjee.
(2) Mr. Sasanka Sekhar Sanyal.
(3) Mr. Nishitha Nath Kundu.
(4) Mr. Dhirendra Nath Dutta.
(5) Mr. Kamal Krishna Roy.
(6) Dr. Suresh Chandra Banerjee.
(7) Mr. Sukumar Dutta.

Khan Bahadur MOHAMMED ALI: What about Mr. Pratul Chandra Ganguly.

The Hon'ble Mr. SHAMSUDDIN AHMED: That was long before.

Mr. K. SHAHABUDDIN: Will the Hon'ble Minister be pleased to explain whether it is a fact that all these members of the Legislature whose names have just been given were supposed to have voted in a party meeting demanding the resignation of the Ministers?

Mr. DEPUTY SPEAKER: That question does not arise.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state up till now how many names have been received by Government about these arrests?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannnot give the details.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether Mr. Niharendu Dutta Majumdar has been arrested?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no information.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state whether all the members of the Legislature who have been arrested and whose names have been given belong to the Progressive Coalition Party to which the Hon'ble Minister himself belongs?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, not all.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister in charge be pleased to state the names of members of the Bengal Legislature who have been convicted under the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the names.

Khan Bahadur MOHAMMED ALI: Again the Hon'ble Minister is meting out the same treatment to the Opposition. He says "I cannot give". If he says in the interest of the public safety we shall be satisfied. Let him make that statement. Why does he say "I cannot give"?

The Hon'ble Mr. A. K. FAZLUL HUQ: If I had known that the members of the Muslim League were so much interested in these arrests I would have brought all the papers with me. I am sorry I have not got the papers with me to answer properly all these supplementary questions In future I shall take it that the duty of cross-examination of the Minister in the matter of arrests will be shifted from the Congress to the Muslim League and I will act accordingly.

Mr. H. S. SUHRAWARDY: Does the Hon'ble Chief Minister convey to the House that he is not interested in these arrests?

Mr. DEPUTY SPEAKER: That question does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state why questions (*g*) and (*h*) have not been answered?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already stated that I have not answered many points which I might have been able to answer because I thought that a comprehensive reply would be more desirable.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state how many members of the Bengal Legislature who have been arrested belong to the Progressive Coalition Party?

Mr. DEPUTY SPEAKER: That question has been answered.

Maulvi AHMED ALI MRIDHA: He has not given the number.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, let me count—

(1) Mr. Sasanka Sekhar Sanyal, son of Babu Bhabataran Sanyal of Berhampore,

(2) Mr. Satya Priya Banerjee,

(3) Mr. Nishitha Nath Kundu, and

(4) Mr. Khagendra Nath Das Gupta.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if he takes upon himself the responsibility for the arrest and detention of the gentlemen just mentioned?

The Hon'ble Mr. A. K. FAZLUL HUQ: I take the fullest responsibility for the arrest of these members and for any others that may follow.

Khan Bahadur MOHAMMED ALI: The Hon'ble Minister has just stated that full details are not available and if the member desires to have full details he wants a separate question to be tabled. Will the Hon'ble Minister be pleased to consider the question as held over so that the full details may be supplied to the members?

Mr. DEPUTY SPEAKER: If that is the desire of the House it will be done.

(The question was held over.)

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Security prisoners.

35. Dr. ABDUL MOTALEB MALIK: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) when did the first sitting of the Tribunal appointed by Government to examine the cases of security prisoners take place; and

(*ii*) whether the Tribunal have made any recommendations so far?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of security prisoners released since the 1st of August, 1942; and

(*ii*) the number of them that were released on the recommendations of the Tribunal?

(*c*) Will the Hon'ble Minister be pleased to state whether Government have arrived at any decision regarding the release of the security prisoners detained for political reasons?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) On 8th May, 1942.

(*ii*) Yes.

(*b*) (*i*) Two.

(*ii*) One of the two has been released on the recommendation of the Tribunal and the recommendations of the Tribunal regarding other security prisoners are under consideration.

(*c*) The matter is under consideration.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state how many cases were considered by the Tribunal?

The Hon'ble Mr. A. K. FAZLUL HUQ: Something over 400. I gave all the figures in answer to a question the other day.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the cases after the 7th August should also be considered as being security prisoners and whether their cases should also be referred to the Tribunal in future?

The Hon'ble Mr. A. K. FAZLUL HUQ: I believe I have already answered this question in the negative.

Mr. ABDULLA-AL MAHMOOD: With reference to answer (*b*) (*i*), will the Hon'ble Minister be pleased to state the names of these two gentlemen?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not remember the names.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased state the personnel of the Tribunal?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Tribunal consisted of the e Mr. Justice Panckridge, Mr. S. M. Masih and Sir S. K. Ghosh. The late Mr. Justice Panckridge died after having finished his labours and the other two submitted the report.

Khan Bahadur MOHAMMED ALI: Was the report signed by the late Mr. Justice Panckridge?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, it was not. But the other members have recorded that the late Mr. Justice Panckridge was in complete accord with the report which the other two signed and submitted on behalf of the Tribunal.

Khan Bahadur MOHAMMED ALI: Is the Hon'ble Minister considering the desirability of appointing another Judge of the High Court to replace the late Mr. Justice Panckridge?

The Hon'ble Mr. A. K. FAZLUL HUQ: The matter has ended so far as the Tribunal is concerned and I cannot conceive the necessity of another Tribunal to advise the Government as to how to act on the report.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if there is any case pending for the decision of the Tribunal?

The Hon'ble Mr. A. K. FAZLUL HUQ: There was no case pending at the time the Tribunal was dissolved.

Maulvi AHMED ALI MRIDHA: With reference to answer (*c*) will the Hon'ble Minister be pleased to state what time does he propose to take in completing the consideration?

The Hon'ble Mr. A. K. FAZLUL HUQ: As soon as the session of the Assembly is over and we can get rid of the impediments in our way we will consider the question and, as far as possible, we will try to expedite it.

Held over question.

(As soon as the held over unstarred question No. 23 was called, Khan Bahadur Mohammed Ali rose.)

Khan Bahadur MOHAMMED ALI: Sir, we have not got the question paper with us. So, if the Secretary will kindly read out the question and the answer, it will help us in putting supplementary questions.

Mr. DEPUTY SPEAKER: Secretary read it yesterday.

Khan Bahadur MOHAMMED ALI: But I was not present at that time.

(The Secretary then read out the question and the answer.)

Cancellation of a tender from a firm after acceptance.

23. Khan Bahadur MOHAMMED ALI: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state whether it is a fact that the Government after accepting a tender from a certain firm for supply of rice subsequently cancelled the same?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) What was the principle followed by Government in the acceptance of tenders?

(*d*) Will the Hon'ble Minister be pleased to state whether the lowest tender was accepted in all cases?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*f*) What was the total loss to Government revenue by the non-acceptance of the lowest tender in each case?

(*g*) Will the Hon'ble Minister be pleased to lay on the Table a statement showing—

(*i*) the names of contractors selected, with their addresses;

(*ii*) the amount of contract allotted to each contractor; and

(*iii*) the places where rice and paddy have been stored, together with the amount stored at each place?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (The Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) Evidently the honourable member refers to the arrangements made for the purchase and removal of rice and paddy under the Denial Scheme. Having regard to the nature of the scheme it was not possible to invite tenders formally. Arrangements were made after informal consultation with certain reputable firms. There is therefore no question of acceptance or cancellation of any tenders. Originally only one firm was entrusted with the contract, but subsequently, with a view to speeding up the work, several other contractors were selected and definite areas of operation allotted to each.

(*b*) to (*f*) Do not arise, *vide* reply to (*a*).

(*g*) (*i*) Mr. Mirza Ali Akbar, 51, Ezra Street, Calcutta.

Messrs. B. K. Poddar & Co., 16, Chaulpatty Road, Beliaghatta.

Mr. Ashutosh Bhattacharyya, 69/2, Chetla Road, Alipore.

Mr. Ahmed Khan, 22, Zakaria Street, Calcutta.

Mr. H. Datta, 15, Clive Street, Calcutta.

(*ii*) No specific amounts were allotted to each contractor, but the areas in which they were to operate were defined as follows:—

Midnapore district, Bhola and Pirojpore subdivisions of Bakarganj district, Satkhira subdivision of Khulna district, Sadar and Patuakhali subdivisions of Bakarganj district and Sadar and Bagerhat subdivisions of Khulna district, respectively.

(*iii*) In Calcutta, in certain districts in North and North-West Bengal and in certain districts in East Bengal. Exact figures cannot be given because some rice and paddy is still in transit and furthermore rice and paddy stored in North and North-West Bengal is now being brought to Calcutta.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the names of the reputable firms with which the contract was given previously?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, as far as I was able to gather yesterday, I was under the impression that the question would not be taken up today, nor have I been informed by the department that the held over question would be taken up today. So I have not brought the relevant files with me here for answering any supplementary question that might be put. I was also under the impression that the honouarble member who had put in the question was not ready to put any supplementary question, and so the question was held over.

Khan Bahadur MOHAMMED ALI: Sir, we protest vigorously against the way in which the most valuable time of the House has been wasted. When the question was being read out by the Secretary, the Hon'ble Minister ought to have said that he had not got the file with him and therefore he would not be able to answer any supplementary question. If the Hon'ble Minister had said that before the question was read out by the Secretary, so much of our valuable time would not have been thus wasted. That is our point, Sir.

Mr. DEPUTY SPEAKER: But you wanted the question to be read over.

Khan Bahadur MOHAMMED ALI: Sir, I requested the question to be read over with a view to enable me to put supplementary questions. In accordance with that request the Secretary read out the question and answer, and after that when a supplementary question is put by me the Hon'ble Minister comes forward with the plea that as his papers are not with him he will not be able to answer any supplementary question. I submit, Sir, he ought not to have wasted the valuable time of the House in this manner, and I want your ruling on this point.

Babu NARENDRA NARAYAN CHAKRABARTY: But you yourself are wasting the valuable time of the House for nothing.

Mr. DEPUTY SPEAKER: When the Hon'ble Minister is not prepared to answer supplementary questions, I cannot help the House and I cannot force him to answer. Of course, he ought to have given the answer today but I find that on some misunderstanding or other he has not brought the papers with him. Therefore, I am afraid, there is no other alternative but to hold over the question.

Maulvi AHMED ALI MRIDHA: Sir, this is a very important question so far as my district is concerned, and we the representatives of that district will be put to very great difficulty if we fail to obtain the necessary information on this point from the Government. The subdivision of Goalundo in the district of Faridpur is already in the grip of famine on account of inadequate supply of rice. We therefore want to ascertain by putting supplementary questions as to what action Government is going to take in the matter, whether rice would be supplied to my district and if supplied, what would be the quantity of supply, and so on. But it is very strange that when the question was taken up in the House the Hon'ble Minister should say that he was not prepared for it and that he could not answer any supplementary question as he had not brought the necessary papers with him. If the question is again held over today, we are afraid that we will not get any answer to this important question during this session, as the Assembly is likely to be prorogued today.

Mr. M. A. H. ISPAHANI: May I suggest, Sir, that the Hon'ble Minister for Agriculture should send for his file immediately so that he can get it in ten minutes, and then this question can be taken up.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I state, Sir, that the honourable member who put in this question was not ready to put supplementary question and he had asked that this question should be held over. I did not know that this question was coming up today. You also, Sir, pointed out to me that there was no question for me to answer today.

Khan Bahadur MOHAMMED ALI: Sir, I am perfectly ready to put supplementary questions.

Mr. DEPUTY SPEAKER: I had a mind to finish all the questions today, but I find now in the file that this question was held over from the 21st of September. Now, when the Hon'ble Minister is not prepared to give the reply, and, as he says that he is unable to give any reply to any supplementary question, I cannot help you. So the matter is closed.

Maulvi ABUL HASHIM: Sir, the Hon'ble Minister says that the honourable member was not prepared to put supplementary question and

therefore he did not bring the file with him. My point is, is it necessary first to ascertain as to whether members would put in supplementary questions and then the Hon'ble Minister would bring his file?

Mr. DEPUTY SPEAKER: No, it is not necessary.

Maulvi ABUL HASHIM: Further, I would like to know whether you consider it desirable that Ministers, having scores of Parliamentary Secretaries here and an army of officials to assist them, should stand up here and say that they cannot answer questions because they have no files here and they are not prepared.

Mr. DEPUTY SPEAKER: I cannot help you in this matter. If he pleads inability to give replies to supplementary questions, how can I help it?

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister be pleased to enlighten the House how he came to know that the honourable member from Bogra was not ready to put supplementary questions when he had left his file behind at the beginning of the meeting?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I state that when this question was taken up yesterday—we are not talking of today—the honourable member said that he was not ready and when I asked the Deputy Speaker today whether there were any questions in my name, he said "No". Therefore, as I was told there were no questions, I did not come prepared to answer supplementaries on this question.

Mr. M. A. H. ISPAHANI: Will the Hon'ble Minister be pleased to state whether he is aware that other members of the House are entitled to ask supplementary questions as well even if the honourable questioner informed him that he was not prepared with his supplementary questions? The Hon'ble Minister having the experience as he has should have known that other members of the House are equally entitled to put supplementary questions and for an Hon'ble Minister appearing in the House not prepared to answer supplementary questions and then putting up the defence as the Hon'ble Nawab Bahadur has put up is, to say the least, preposterous.

Mr. DEPUTY SPEAKER: I cannot help you in this matter. The question is held over.

Mr. SYED ABDUL MAJID: Sir, I wanted to know at the very beginning how many questions of the last session and of the present session have not yet been answered.

Khan Bahadur MOHAMMED ALI: Sir, before you take up this question, I want to know if the Parliamentary Secretary can answer my question. She is usually quite prepared to answer questions.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I was prepared to answer questions yesterday.

Statement regarding questions.

Secretary then read out the following statement.

Questions carried over from the budget session of 1942—90.

Answered this session—61.

Questions admitted this session—104.

Answered—30.

This statement is made up to the 29th September, 1942.

Mr. Khwaja SHAHABUDIN: Sir, the question raised by Mr. Abdul Majid was to find out how many questions, the replies of which have been received in office, have been answered in the House and whether any question is still pending.

Mr. DEPUTY SPEAKER: No question is pending.

SPECIAL MOTION

On the Chief Minister's statement.

(At this stage Mr. Syed Badrudduja rose to speak.)

Point of order.

Mr. A. F. STARK: On a point of order. Mr. Deputy Speaker, Sir, I would like to draw your attention to rule 42 (*1*) which says, "an amendment must be relevant to, and within the scope of, the question to which it is proposed". I would like to submit, Sir, that this amendment which the honourable member Mr. Syed Badrudduja is about to move does not conform to that rule 42 (*1*).

I would first of all draw your attention to the fact that yesterday we were greeted with the first of those so-called amendments and today we are greeted with another so-called amendment which raises very large questions and is entirely different to the motion to which it is proposed to be moved as an amendment.

Our motion, Sir, raises one issue—measures taken by the Bengal Government to maintain law and order. This motion or amendment raises no less than three questions—(1) it extends full support to Government in its efforts to restore order and tranquillity; (2) it refers to the question of excesses; and (3) it raises a constitutional issue.

Now, Sir, I would submit that this amendment is not within the scope of our motion and I would submit that in any case it raises issues which were not even referred to in the Hon'ble Chief Minister's statement. It raises a constitutional issue. There was no reference in the Hon'ble Chief Minister's statement to the constitutional issue. There is no reference in our motion to any constitutional issue.

Then, Sir, I would submit that this is not even framed as an amendment. It is a new motion. There is no attempt to fit it on to our motion in any way. It says "to move by way of amendment that this Assembly" and so on. It does not refer to our motion. It does not add to our motion or alter or amend our motion in any way. It ignores our motion completely and proposes to substitute another motion for our motion.

Sir, if you in spite of these arguments consider that this is in order, we would submit this that we should be entitled to move amendments to this amendment. In our view it is entirely different from our own motion and it raises a number of new questions. We should be entitled to consider these and we should be entitled to table amendments to them if you are going to allow the amendment.

Lastly, I should like to raise this point that this motion of ours has been before the House for many days and there has been plenty of time to table amendments to it but there were no amendments. But here we are greeted today with an amendment which raises altogether different questions.

Mr. FAZLUR RAHMAN: On a point of order, Sir. My point of order is with regard to the amendment of Khan Bahadur Aulad Hossain. He has received a letter from your office saying "With reference to your amendment, copy enclosed, to the special motion of Mr. David Hendry, I am desired to inform you that this has been disallowed by Mr. Deputy Speaker".

Sir, I beg to submit that you are entitled to disallow an amendment only under rule 42, that is, rule as to amendments.

Now, first I will tell you what was the motion of Mr. Hendry. If you refer to the wording of the motion of Mr. Hendry in items Nos. 10-11, you will find that it is said "This Assembly is of opinion that the measures taken by the Bengal Government to maintain law and order since the initiation of the present Congress campaign should be supported" and to that the Khan Bahadur wanted to add these words——

Mr. DEPUTY SPEAKER: I have got it. You need not read it out.

Mr. FAZLUR RAHMAN: The House should know it.

Mr. DEPUTY SPEAKER: You are raising a point of order and it is not meant for the House.

Mr. FAZLUR RAHMAN: And recommends that adequate measures be taken to protect Muslims and other elements in the population who have not joined the Congress movement".

Now, Sir, it does not, in my opinion, offend in any way any of the rules of section 42—rules relating to amendments. Sir, let us take the first rule. "An amendment must be relevant to, and within the scope of, the question to which it is proposed."

Now, Sir, here Mr. Hendry's motion raises the question as to the measures adopted by Government. The Khan Bahadur's amendment also relates to the measures, i.e., what measures should be adopted for the protection of the Muslims because he feels that the measures which have been adopted up till now are not sufficient to protect the Muslims and other elements which have not joined the recent Congress campaign. Therefore, Sir, it relates to the question under issue.

Then with regard to clause (2), namely, that an amendment may not be moved which has merely the effect of a negative vote, it is obvious that it has not the effect of a negative vote.

Then, Sir, we come to clause (3), namely, "After a decision has been given on an amendment to any part of a question, an earlier part shall not be amendeded"; this does not arise in this case because no amendment has been carried in the House.

With regard to clause (4), namely, "An amendment to a question must not be inconsistent with the previous decision on the same question given at the same stage of any Bill or motion", this question also does not arise here as no previous decision has been taken in this House.

With regard to clause (5), namely, "The Speaker may refuse to put an amendment which is in his opinion frivolous", I beg to submit, Sir, that this amendment raises a very important question, and we on this side of the House feel that the measures hitherto adopted by the Government of Bengal have not given sufficient protection to the Muslims. For instance, I can cite the case of educational institutions which have been closed down by this Government in order to show that the amendment is not frivolous and is really important. What I want to say, Sir, is that the Muslims and other elements have not got any protection. This Government has closed down the educational institutions because of the disturbances, although Muslim students are very anxious to get instructions. That is the reason why I say, Sir, that the measures hitherto taken were not sufficient to give them protection. Therefore, Sir, the amendment is not frivolous. It raises an important fundamental issue and if you admit this amendment, and I hope you will allow it, you will find why we think that the Muslims and other elements who have not joined the Congress movement have not been adequately protected.

Now, Sir, the amendment does not say that no measures have been taken. It simply says that the measures so far adopted are not sufficient and we want further measures for the protection of the Muslims and other elements. Therefore, Sir, it is quite relevant and is not in any way frivolous. I hope that you will admit it, and I would request you to reconsider your decision and admit this motion.

Khan Bahadur Maulvi AULAD HOSSAIN KHAN: Sir, my amendment is an earnest amendment.

Mr. DEPUTY SPEAKER: With regard to the point of order raised by Mr. Stark I have fully considered the amendment of Mr. Badrudduja and——

Khwaja Sir NAZIMUDDIN: Before you give your ruling on the point of order raised by Mr. Stark, I hope, Sir, that you will permit this side of the House to express their opinion on the point of order, because it vitally affects the Muslim community as far as this motion is concerned.

Mr. K. SHAHABUDDIN: I want to submit, Sir, as far as these new amendments of Mr. Badrudduja are concerned, they raise issues of far-reaching importance so far as the Muslim community is concerned. I want to say that my honourable friend Mr. Stark has raised a constitutional point whether this motion is within the scope of the main motion and whether it is admissible or not. After you give your ruling, Sir, I have got a further submission to make as I think that would be the proper time to make my submission.

Mr. DEPUTY SPEAKER: Mr. Stark has raised two points. Mr. Stark says that the motion of Mr. Badrudduja is not at all an amendment; it is a substantive new motion. He has also said that if that amendment is allowed to be moved as an amendment, other members will have the right to move amendments to that amendment. Mr. Stark says that the motion of Mr. Badrudduja is beyond the scope of the main motion—I mean the motion of Mr. Hendry. I am of opinion that Mr. Hendry seeks to suggest in his motion that all Government measures should be supported. Mr. Badrudduja also wants to support all Government measures with certain reservations—restrictions and limitations. That is the difference. Mr. Hendry suggests that law and order should be maintained. Mr. Badrudduja also seeks to support by his amendment that law and order should be maintained. I am of opinion that Mr. Badrudduja's amendment is within the scope of the main motion, i.e., the motion of Mr. Hendry. He only suggests the ways and means for maintaining permanent peace and tranquillity. In his amendment he has, I agree, raised new issues, but those issues are within the scope of the main motion of Mr. Hendry.

With regard to the point of order raised by Mr. Fazlur Rahman, I am of opinion that Mr. Hendry's motion is complete in itself. He suggests that all measures already taken by Government should be supported, but Khan Bahadur Aulad Hossain Khan suggests by his amendment that Muslims and other sections who have not joined the Congress movement have not been protected. That raises an absolutely different point of view. (Cries of "No, no" from the Opposition benches.) I could have admitted the motion of the Khan Bahadur as an independent motion, but by his amendment he suggested that certain sections of the population, namely, the

Muslims and other sections, have not been given adequate protection and so he recommends to the Government that the Muslims and other sections should be protected. That is not a point which was at all raised in the main motion. Therefore, this amendment is inadmissible. But I would have been very glad to allow the motion of Khan Bahadur Aulad Hossain Khan as a substantive motion.

With regard to Mr. Stark's second point, namely, that if I allow Mr. Badrudduja's amendment as an independent amendment he has a right to move an amendment to it, of course so far as my experience goes it is the practice in this Legislature that amendments to amendments are allowed in respect of Bills only. Government proposes certain amendments to a Bill and members are entitled to table amendments to those amendments. But so far as motions or resolutions are concerned——

Mr. FAZLUR RAHMAN: On this question before you give your ruling——

Mr. DEPUTY SPEAKER: Please sit down. With regard to amendments to amendments in respect of motions and resolutions I am afraid I cannot allow them because they are not admissible. If I allow this amendment to amendment I shall be creating a new precedent which I do not like to. In my opinion if I create that precedent it will be a bad and dangerous precedent. So far as the main motion and the amendment are concerned, I hold—I do not pretend I am infalliable and there might be an error of judgment—that in this case if I allow this amendment to amendment which is apparently inadmissible it will be creating a bad precedent. I also hold——

Mr. K. SHAHABUDDIN: Sir, before you give your ruling——

Mr. DEPUTY SPEAKER: Order, order. Therefore, I have thought it necessary to disallow this motion. On the whole in my opinion the motion tabled by Mr. Badrudduja as an amendment is in order. He has suggested to substitute the main motion by a different motion altogether, but I maintain that it is an amendment to the main motion moved by Mr. David Hendry. I am sorry I cannot allow an amendment to that amendment and with regard to Khan Bahadur Aulad Hossain's amendment I have already said that in my opinion it raises a completely new issue and therefore I regret I have to declare it out of order.

Mr. FAZLUR RAHMAN: With regard to the amendment of Khan Bahadur Aulad Hossain I would like to submit a few words further. I would request you once more to revise your decision and allow that amendment. But if you are not in a position to allow that amendment I would request you to treat it as a separate motion.

Mr. DEPUTY SPEAKER: That I will consider.

Mr. A. F. STARK: You have given your ruling that this amendment (of Mr. Badrudduja) is within the scope of our motion. Do you also give your ruling that this is a properly framed amendment? Would you please tell us how our motion will read if this amendment is passed?

Mr. DEPUTY SPEAKER: You will know very soon. I have allowed Mr. Badrudduja to move his amendment. Let me see how he moves.

Mr. SYED BADRUDDUJA: Sir——

Mr. ABDUR RAHMAN SIDDIQI: Before you proceed further, Sir, I think I am entitled to put the other view before you, in a most respectful manner and with due respect to the Chair. I submit, Sir, that it is possible for the Chair, to take a view which may not be entirely correct.

Mr. DEPUTY SPEAKER: I cannot hear you.

Mr. ABDUR RAHMAN SIDDIQI: I wanted to suggest, Sir, that it is possible for the Chair to take a view which might not be entirely correct. Sir, an amendment is not allowed only when it negatives the original motion. I respectfully submit that your ruling that an amendment which raises a new issue should be rejected is not in accordance with Parliamentary practice. An amendment is intended to raise a new issue. The very fundamental fact——

Mr. SURENDRA NATH BISWAS: On a point of order, Sir. Can the honourable member question your ruling?

(Interruptions.)

Mr. DEPUTY SPEAKER: With my leave Mr. Abdur Rahman Siddiqi is making his submission and therefore no point of order can arise.

Mr. ABDUR RAHMAN SIDDIQI: What I submit to you is this. (Interruption) I would respectfully submit to you to reconsider your decision because an amendment is intended to raise a new issue and if that right is taken away from us then there is no point in putting forward amendments. The other point that I respectfully submit to you once more is that when the Government brings forward an amending Bill, the amendments put forward by Government are in the nature of substantive motions and therefore the House has a right to submit amendments. The view that you take does not coincide with the general practice which you very rightly propose to follow. I therefore again respectfully submit that Khan Bahadur Aulad Hossain's amendment should not have been ruled out on grounds which you have stated. He has a right and he should be allowed to move his amendment.

Mr. FAZLUR RAHMAN: With regard to the point that an amendment cannot raise a new issue Mr. Abdur Rahman Siddiqi is right when he says that amendments are intended to raise new issues. Sir, if you please refer to rule 42——

Mr. DEPUTY SPEAKER: Yes, the rule is before me.

Mr. FAZLUR RAHMAN: No Parliamentary practice outside these rules can be applicable—no matter whether it is a Parliamentary practice in the House of Commons or any other recognised institution—because the rules are very definite. We will be guided only by these rules. Only in the absence of rules we may be guided by the practice followed in the other Legislatures of the world. But so far as we are concerned if there is a definite rule we must follow that definite rule. These rules have not stated anywhere that an amendment cannot raise a new issue; therefore, even if you hold that Khan Bahadur Aulad Hossain's statement raises a new issue you are not entitled to rule it out of order under these rules.

Khan Bahadur MOHAMMED ALI: Sir, with regard to the question——

Mr. DEPUTY SPEAKER: Order, order. I have gone into this matter very carefully. I have also considered the point raised by Mr. Abdur Rahman Siddiqi. I am sorry to say that I do not see any reason to reconsider my decision. It is clear from rule 42 (2) that an amendment may not be moved which has merely the effect of a negative vote.

Mr. FAZLUR RAHMAN: In what way?

Mr. DEPUTY SPEAKER: Order, order. I hold that it goes beyond the scope of the main motion and, therefore, I have disallowed Khan Bahadur Aulad Hossain's amendment. I have given my ruling and I shall have to close the debate punctually at 11 a.m.

Khwaja Sir NAZIMUDDIN: Sir, may I submit that there are two or three questions I would like to put before you. I am not questioning the right of the Chair to give a ruling as has been given by you in your discretion. First of all we find today circulated notices of certain amendments which were to be moved by the European group to the amendment that had been moved by Mr. Syed Badrudduja yesterday. Evidently, Sir, these amendments to the amendment were accepted and that is the only conclusion that we can come to because those amendments have been circulated to us. So, I most humbly submit that you have accepted the principle of allowing amendments to amendments. Then, Sir, I submit that during the short period that you have adorned the Speaker's Chair you have, by your impartial ruling and fair treatment to the Opposition, won the respect not only of the members of the Opposition and also members on the other side of the House but of the general public, and I appeal to you after

fully considering the matter to be impartial on this occasion also. I submit that the amendment of which Mr. Syed Badrudduja has given notice and which for the time being you have accepted, in my opinion, Sir, raises issues which are absolutely new, raises issues which have been agitating the minds of not only all the people of Bengal but also of the whole of India and the best brains of India, and you are asking us to consider them, to discuss those questions without any notice whatsoever. After our arrival here we found this motion and we are expected to contribute to the discussion on this important question. Apart from all other facts they vitally affect the interests of the Muslim community. You, Sir, very well know that as far as these questions are concerned, Muslims all over India feel most strongly that their rights and the question of their very existence will be affected by this resolution, no adequate notice for which has been given and I submit that it is only fair that we on this side of the House should get adequate time, adequate notice, to be able to place our views before the public, for whereas the motion of the Leader of the European group, honourable Mr. Hendry, raises issues with which we are all conversant, the amendment of Mr. Badrudduja raises issues which are absolutely new and which, as I have stated before, vitally affect the Muslim community and the future of the Muslims of India. Sir, you are asking the Legislature to express an opinion, you are asking the province of Bengal to express an opinion on the issues which vitally affect the interests of the Muslims as a whole. Now if you decide that this amendment is in order, then it is only fair and just that we should be given an opportunity to move an amendment to it and to discuss the matter thoroughly by allowing us adequate time to prepare ourselves for the discussion. After all, Sir, we are members of this House, and we have got to make speeches on a very important resolution which requires consideration and thinking out. However thoughtful, eloquent and great a speaker may be, even the best speakers in England and other countries take time to prepare their speeches and when you have placed before us a resolution of such vital character for which notice was received only this morning, just when we arrived here, we have had no time to think out what we should say on the question. We have been busy with the old resolutions and you are asking us to get up and contribute to the discussion on the new amendment at a moment's notice. Apart from the question of your ruling, Sir, I submit that in absolute fairness to this side of the House and to the Muslim community who form the majority in this province, you should give us an opportunity to think and consider for making a proper contribution to the debate on this question. I appeal to you, Sir, most strongly on this question of vital importance. After all, Government had received notice of Mr. Hendry's motion at least a week ago and if they wanted an amendment of this character to be put in they had ample time to do so before, but they have come forward with a short-notice amendment at a time when there is no time left for giving full consideration to it. We have been discussing this question for the last seven or ten days and at the last minute notice of this amendment has been given. You may ask, why was no amendment given beforehand? There the character of that amendment was limited

in certain respects to the representation that was made by the Council of Ministers and on what had been said by the Council of Ministers we could not alter our motion. Naturally we could not submit our amendment. We discussed it in our party meeting but we could not submit an adequate amendment on that question. Evidently, Government members felt the difficulty and therefore they decided that they had practically to change that amendment, and they have come forward with an absolutely fresh amendment now. I submit, therefore, as far as this question is concerned, it is not only a question of mere opinion of this House: you are asking the Legislature, you are asking this province to express an opinion on an all-India question. It is, Sir, only on the question of waiving the period of giving notice that you come in where you have a direct responsibility. And it is on this point that we appeal to you for protection. Undoubtedly, Sir, you have in your discretion got the right to exercise the power of waiving the period of notice and of allowing a short-notice amendment to be moved, but you have got to take into consideration whether in exercising your discretion in the matter of waiving the period of notice required, you should not be unfair to the members of the House. That is the primary consideration why, I submit, a notice is required for an amendment to a motion. It is to enable the members of the House to consider the question beforehand to be able to get prepared for taking part in the discussion on that question, and if discretion has been given to the Speaker to waive that very important right of notice, it can only be exercised under special circumstances when you are satisfied that by waiving this notice the Opposition or the members of the House in general will not be unduly prejudiced and will not be seriously affected. It is then and then only that you can do so. As a rule it is always a matter of arrangement whether on a question the right of notice is to be waived or not. I submit that the previous Speaker, Sir Azizul Haque, time and again forced the then Government to concede time and he would not be a party to the waiving of proper notice if he felt that the Opposition did not get a fair opportunity to make their submissions. He was very insistent that that was a privilege of the members of the House which could not be easily taken away, for it would be depriving them from making their proper contribution to the debate. Sir, I submit that in view of the entirely fresh nature of this amendment you will not exercise your discretion on this question in this manner, for it will be doing a grave injustice to us.

Mr. DAVID HENDRY: Sir, may I be allowed as the mover of the original motion to add my strong support to the very reasonable proposition put forward by Sir Nazimuddin? To this simple, straightforward motion put forward by me yesterday consisting of one sentence has been sent in at short notice a so-called amendment, which by no stretch of imagination can be described as an amendment, raising highly constitutional issues, and which we are asked here in this House today to debate without any notice whatsoever. Sir, in your position and the high office which you hold in this House I appeal to you not to impose such an injustice upon all the parties

in this House—not only ourselves, not only the Opposition, but the Government party as well. In no way can this so-called omnibus substitute motion be described as an amendment to my simple, straightforward motion. My motion raises one question and one question only. It asks a straight question and it wants a straight answer. If you decide, as I hope you will, to allow the numerous questions raised in Mr. Badrudduja's substantive motion to be discussed later, then I would ask you to give us adequate notice of the questions which are raised so that we could be prepared to debate them in this House, and I would also ask you in that case to let my straightforward motion be put to the House today. Let us have a straight answer to the straight question which we asked.

Mr. DEPUTY SPEAKER: After the ruling I gave Mr. Hendry ought not to have passed these remarks again. When Mr. Stark described it as "so-called amendment" I did not say anything. But even after my decision I did not expect that a responsible member, the Leader of the European Group, will come forward and say it is a "so-called amendment."

As regards Sir Nazimuddin's observations I can only say that the circulation of a motion does not indicate that it has been admitted or decided upon, because the practice of this House is that members are allowed some time to read the amendments or motions before they are admitted by the Speaker and members are aware of this practice.

As regards the shortness of time of this motion I can only refer to section 36 of the Assembly Procedure Rules. The proviso says, "Provided that the Speaker may, in his discretion, admit at any time any motion at shorter notice than that prescribed by any rule or may admit a motion without notice." I do not find any reason for the Opposition to come forward at this stage and say that this interest has been prejudiced or that interest has been prejudiced. This is a motion from the European Group and an amendment has been given from the Government side. I have decided already that this amendment is in order, and I hope that the House will not challenge the decision of the Chair. I again say that I have already allowed Mr. Badrudduja to move his amendment.

Mr. A. F. STARK: One more point of order. Sir, we do not challenge your ruling at all but we ask you one more question. We ask you to exercise your discretion to put our motion and the Opposition motion first to the House and then the amendments. We do say this because of the circumstances in which these amendments have been tabled and the very different issues which they raise. We think we are entitled to have an answer on our motion first and we would refer you to rule 43(2) under which it is in your discretion to put the motion first and then the amendment.

Mr. DEPUTY SPEAKER: I will consider that, but, as you have said, it is entirely in the discretion of the Chair. Mr. Badrudduja.

Mr. H. S. SUHRAWARDY: On a point of order——

Mr. DEPUTY SPEAKER: Order, order. On this point I will not allow any further discussion and I hope you will not challenge the decision which I gave.

Mr. H. S. SUHRAWARDY: Well, Sir, I do not. With very great respect, the respect which I entertain for the Chair, I do not challenge the decision on this point. What I do request you, Sir, is to reconsider the second portion of your decision——

Mr. DEPUTY SPEAKER: It is not a point of order. Mr. Fazlur Rahman raised this issue and I will consider whether I will allow Khan Bahadur Aulad Hosain's amendment as a substantive motion.

Mr. H. S. SUHRAWARDY: I do not mean that. You have given an expression of opinion regarding an amendment to an amendment not being allowed in this House because it would create a precedent. Now, Sir, I would request you to reconsider it in view of the procedure which is adopted in Parliament, and as you always can and may and do refer to May's Parliamentary Practice I am taking the liberty of referring to May's Parliamentary Practice for your consideration——

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, that has been referred to me by Khan Bahadur Mohammed Ali. I do not know what you are going to point out, but you know very well that we are not always guided by the Parliamentary practice. We have our own practice and we have our own conventions. Therefore it is no use making any reference to May's Parliamentary Practice or to any other rule or practice in vogue in the British House of Commons.

Mr. H. S. SUHRAWARDY: We may not follow May's Parliamentary Practice where it conflicts with our rules but where May's Parliamentary Practice is in conformity with equity and good conscience and justice to all parties I most respectfully request you, Sir, to follow May's Parliamentary Practice and permit me to place it before the House.

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, please sit down. It is already too late. I have given a clear decision——

(At this stage there was an uproar from the Opposition Benches.)

Mr. H. S. SUHRAWARDY: You cannot stifle a discussion.

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, I am on my legs. You know Parliamentary practice and you should not rise. If you obstruct the proceedings of this House, two courses are left to me—either I will have to continue it in spite of the obstruction that you intend to make or I will have to——

Mr. YUSUF ALI CHOUDHURY: Do it.

Mr. DEPUTY SPEAKER: Or I will have to adjourn the business of the House now. I appeal to the Leader of the Opposition to allow me to to go on with the proceedings of the House peacefully and I hope that public business should not be obstructed in any way, and I appeal to the members of all sections to allow me to proceed peacefully if you want a decision of the House. If you do not want a decision of the House I have nothing to do with it. If you want a decision of the House on this important motion, then I appeal to you once again to allow me to go on with the business peacefully.

Mr. H. S. SUHRAWARDY: Sir, you have appealed to us. We respectfully and most humbly appeal to you not to stifle discussions and not to stop us. We have no desire to obstruct the proceedings of the House——

Mr. DEPUTY SPEAKER: I will give you every opportunity to discuss this matter.

Mr. H. S. SUHRAWARDY: You have pronounced here that you wish to close the debate at 11 o'clock on an important motion moved by Mr. David Hendry and by us and on an amendment like this you have given your ruling——

Mr. DEPUTY SPEAKER: (Rose to speak.)

Khan Bahadur MOHAMMED ALI: On a point of privilege.

Mr. DEPUTY SPEAKER: Khan Bahadur, you should have that courtesy at least that when I rise you should not rise.

Mr. Suhrawardy, I can assure you that I will allow a full-dress debate on this subject and if necessary I will extend the time.

Mr. SYED BADRUDDUJA: (Rose to speak.)

Mr. H. S. SUHRAWARDY: In that case I would request you, Sir, to give us at least half-an-hour's time so that we can go to our party meeting and consider this amendment which has been so graciously allowed by you, consider all the pros and cons of it and be ready with our point of view. It is impossible for us, Sir, on the floor of this House to consider all the facts of this amendment and come to our decision.

Mr. DEPUTY SPEAKER: I will consider that. Let Mr. Badrudduja move his amendment.

(Loud cries of "no", "no" and uproar from Opposition Benches.)

(Mr. Deputy Speaker called upon Mr. Badrudduja to move his motion.)

Mr. FAZLUR RAHMAN: On a point of order, Sir. Rule 91 of the Bengal Legislative Assembly Procedure Rules says that if a copy of such amendment has not been sent to the Secretary——

Mr. SYED BADRUDDUJA: Sir I beg——

Mr. FAZLUR RAHMAN: May I be allowed to continue? If I cannot make out a point of order, then Sir, you will rule me out of order. What I was going to say is this: I would refer to rule 95 relating to special motions. Special motions are regulated by rules of this chapter. This chapter is headed "Resolutions" which contain "special motion" under rule 95. Therefore this is to be guided by section 91 and not by the section that you have referred to earlier. Sir, section 91(*1*) runs thus: "If a copy of such amendment has not been sent to the Secretary five days before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker in exercise of his power to suspend this rule allows the amendment to be moved". Therefore, Sir, my objection *shall* prevail, because when you allowed Mr. Badrudduja to move his amendment, you did not say that you suspended the rule. Now at this stage you are not entitled to do that, because I have already taken objection and the mandatory statement of this rule is that "such objection shall prevail". I submit that my objection shall prevail.

Another point which I would like to mention is that if you disagree with me and say that even now you can suspend the rule, then I would submit that in view of the importance of the resolution you should not take away our valued right in exercise of your special powers. If you say that you are entitled to exercise that right——

Mr. DEPUTY SPEAKER: Order, order. You have not read the last sentence. It is very clear and runs thus: "such objection shall prevail unless the Speaker in exercise of his power to suspend this rule allows the amendment to be moved". When I allowed this short-notice motion, it implied that I exercised my special power.

(Mr. Deputy Speaker then called upon Mr. Badrudduja to move his motion.)

Mr. SYED BADRUDDUJA: Sir, I beg to move——

(At this stage there was a loud and continued uproar and table thumping by members of the Opposition. Mr. Badrudduja continued to read his motion but it was not at all audible from the reporters' table.)

(Many Opposition members rose in their seats.)

Mr. DEPUTY SPEAKER: Order, order. You are obstructing the proceedings of the House. If you go on in this way obstructing the business of the House—I am sorry that the Leader of the Opposition is sitting silent though I have appealed to him times without number—if you continue in this way, it will be my painful duty to take extreme measures.

Mr. YUSUF ALI CHOUDHURY: You can do it.

Mr. DEPUTY SPEAKER: Mr. Choudhury, your conduct is highly disorderly. I ask you to withdraw from the House.

Mr. YUSUF ALI CHOUDHURY: No, no. I won't withdraw.

(Mr. H. S. Suhrawardy and several other members of the Opposition rose to speak and there was again a loud uproar and table thumping.)

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, your conduct is also disorderly. Please withdraw from the House.

Mr. M. A. H. ISPAHANI: Sir, I would like to know from you how the conduct of an honourable member becomes disorderly when he stands up and says that he has risen on a point of order. I want your ruling, Sir,——

Mr. DEPUTY SPEAKER: Order, order.

Mr. M. A. H. ISPAHANI: I have not finished. (Uproar.)

Mr. DEPUTY SPEAKER: This is highly derogatory to the House. You are lowering the dignity of this House. (Uproar.) I have already asked Mr. Yusuf Ali Choudhury and Mr. Suhrawardy to withdraw from the House——

Mr. YUSUF ALI CHOUDHURY: No, no. I won't withdraw.

(Renewed uproar and cries of "Do what you can" from the Opposition nembers.)

Mr. DEPUTY SPEAKER: All right. I refer the matter to the Privilege Committee.

(Mr. Deputy Speaker again asked Mr. Syed Badrudduja to proceed and Mr. Badrudduja began to speak, although not a word of what he said was audible at the Reporters' table owing to the uproar and continuous table thumping which immediately followed.)

Mr. K. SHAHABUDDIN: On a point of order, Sir. In your statement you definitely appealed to the Leader of the Opposition for certain things and you passed very unfortunate remarks, so far as the whole party is concerned. Then without giving an opportunity to the Leader of the Opposition to make his submission, you most unfairly asked——

(Interruptions.)

Mr. DEPUTY SPEAKER: I appeal to the Leader of the Opposition to help me in maintaining order. Even now I am prepared to give him a hearing.

Khwaja Sir NAZIMUDDIN: You have appealed to me, Sir. But before that I appealed to you and placed the point of view of our party and I spoke

not only on behalf of my party but the entire Muslim community. (Cries of "Oh, oh" from the Coalition Benches.) I know, Sir, that non-Muslim members on the Government side may question this but as far as this question is concerned I am certain that there is not a single Muslim member who believes in Lailaha Illallahu Muhammadur Rasul-Allah (interruptions)——

Mr. DEPUTY SPEAKER: Order, order I appeal to you once again to help me in restoring order.

Khwaja Sir NAZIMUDDIN: ——who does not realise that as far as this amendment of Mr. Badrudduza is concerned it vitally affects the Muslim community of Bengal. (Cries of "Oh, oh" from the Coalition Benches.) I ask honourable members sitting opposite—I do not mean Mr. Zaman—I ask Muslim members sitting opposite whether they do not realise that this amendment vitally affects the Muslim community. I place this before you for justice and I appeal to you to do justice; Mr. David Hendry, the leader of the European Group has appealed to you and our members have tried to put before you the Parliamentary practice and procedure. We feel Sir, that as far as this question is concerned we have not been able to attract your attention to the point of view that we have placed before you. As you know, Sir, I am trying to be as careful in my language as I can. I realise the great position that you occupy——.

Mr. DEPUTY SPEAKER: I am sorry to interrupt you. Please tell me what steps I have to take. You know I asked Mr. Yusuf Ali Chaudhuri to leave the House and I suspended him from the service of the House for the remainder of the day. He has not carried out my order. You have seen that. I want to hear from you what protection you can possibly give. You say that I have not carefully considered your view point. That is a past matter. I have said that after careful consideration I have disallowed the amendment. You may feel that I am wrong. I also say that I am not infallible. In spite of that the attitude of the members of your party is highly derogatory to the traditions and dignity of the House. Therefore I appeal to you to see that order is restored in the House so that normal business may be carried on properly in a Parliamentary spirit. This is the appeal I am making to you. I want to hear from you what help you can render to this House—not to the Chair—so that we may go on with the normal business of the House.

Khwaja Sir NAZIMUDDIN: I may mention that there are previous precedents where men like Mr. Kiran Sankar Roy and Dr. Nalinaksha Sanyal refused to obey the ruling of the Chair.

Mr. DEPUTY SPEAKER: Do you want to follow it?

Khwaja Sir NAZIMUDDIN: I feel Sir, that when there is a conflict between one's duty to one's community and one's province and the prestige of the House——

Mr. DEPUTY SPEAKER: Just half a minute. Mr. Suhrawardy requested that the House might be adjourned for half an hour to place this matter before a Party meeting. I said that I would allow that opportunity. I only wanted the amendment to be moved first. After that I said I would consider the proposal submitted by Mr. Suhrawardy. Even then this scene has been created by the members of the Opposition.

Mr. ABDUR RAHMAN SIDDIQI: For this reason. We wanted half an hour to discuss the amendment before it was moved. It was such a clear point. Do you let us feel that in trying to conduct the proceedings of the House in a proper manner you will crush us?

(Interruptions.)

Mr. DEPUTY SPEAKER: Order, order——

Mr. ABDUR RAHMAN SIDDIQI: You must understand our point. We want half an hour's adjournment before the amendment is moved and not after that.

Mr. DEPUTY SPEAKER: I now call upon Mr. Syed Badrudduja to move his amendment.

Mr. SYED BADRUDDUJA: Sir, I beg to move (The Opposition members began thumping their tables) by way of amendment that the following be substituted in place of Mr. David Hendry's motion:—

That this Assembly, being of the opinion that the disturbances that have taken place in various parts of the province since the arrest of the Congress leaders on August 9 are calculated to retard the welfare of the province and weaken its strength and resources to fight the impending menace of foreign invasion, extends its full support to Government in its efforts to restore order and tranquillity. This Assembly is further of opinion that in carrying out the policy of Government in this respect, Government should investigate cases of all allegations of excesses in the past and also ensure that no excesses are committed in future by those responsible for giving effect to Government policy and that innocent persons do not suffer any injury or hardship. This Assembly further appeals to the people of Bengal to help Government in maintaining peace and order. Further this Assembly gives expression to its sense of deep anxiety at the present state of affairs in the country and its firm belief that the deadlock should be immediately ended and that full power be transferred to Indian hands in a manner satisfactory to all sections of the people of India so that the cause of Indian defence may be vitally strengthened with the willing and active co-operation of the people."

(Thumping and shouting continued all the time.)

Mr. DEPUTY SPEAKER: The question before the House is——

(Some of the Opposition members rushed to the Chair and there was a great uproar.)

(After the members had resumed their seats.)

Mr. DEPUTY SPEAKER: In view of the grave disorder in the House I feel it necessary to consider the matter once again and I appeal to the Leader of the Opposition to consider this matter in the proper spirit. Is it fair for the members of the Opposition to rush to the Chair in which they did? Is that Parliamentary?

Mr. K. NOORUDDIN: To beg of you.

Mr. DEPUTY SPEAKER: That is no begging at all. I appeal once again to the Leader of the Opposition to review the whole situation in view of the conduct of the members of his party. It is really regrettable that members can go so far as to rush to the Chair to prevent him from doing his duty. It is really deplorable. This shows how the Parliamentary sense has developed amongst certain members of the Legislature in our province. I am sorry to adjourn the House for 10 minutes.

(The House was then adjourned.)

(After adjournment.)

(The House reassembled at 11-17 a.m. after adjournment.)

Mr. DEPUTY SPEAKER: Clear the galleries.

(At this stage the galleries, except those meant for the Press and the Members of the Council, were cleared.)

Mr. ABDUR RAHMAN SIDDIQI: Sir, the galleries have not been fully cleared according to the constitutional law.

Mr. DEPUTY SPEAKER: As regards the members of the Council and the representatives of the Press I have allowed them to remain. That is my decision.

Mr. K. SHAHABUDDIN: On a point of privilege, Sir. We have been submitting to you that the amendment which has been tabled by Mr. Syed Badrudduja is of far-reaching importance and bristles with implications, and therefore it will not be fair to expect the members of this side of the House to do justice to it. In the first instance there was a technical objection on the ground that the amendment was not admissible, and secondly, we urged that we should be given an opportunity to put in our amendments to the amendment of Mr. Badrudduja because it bristles with important issues. Therefore, Sir, it is a question on which we should be given time to think out before putting in our amendments and taking part

in the debate. Sir, the points raised in Mr. Badrudduja's motion are of such vital importance not only to the people of this province but to the people of the whole of India, and here the Muslims are so deeply interested that the Muslim members of this House must have a full opportunity to consider this question. Therefore, Sir, I beg of you not to take up this discussion at this stage, but in the first place to allow us to put in our amendments and to prepare ourselves to make a proper contribution to the debate on this motion. We again most respectfully request you to consider our point of view. Sir, it is a matter about which we feel very deeply. We think we will be failing in our duty to our constituency and to our electorate if we do not take the full opportunity to prevent a motion like this to be put before the House without proper notice and without having had an opportunity to explain, not only to our members but specially to the Muslim members on the side of the Government, all the implications of this motion. We feel that we owe it to our constituency that we must do everything possible to have full opportunity to consider this motion of Mr. Badrudduja. Therefore, I beg most respectfully to request you not to carry on the debate today but allow us to put in our amendments and give us and the whole House a proper opportunity to think over this question to do full justice to it.

Mr. DEPUTY SPEAKER: I am sorry, not more than four days have been allotted by Government for debate on these motions today being the last day, and so it is only fair that I should close the debate today. But if you proceed in a calm atmosphere I will allow you the fullest opportunity to have a full dress debate today on this subject. I hope Sir Nazimuddin will now speak on the amendment.

Khwaja Sir NAZIMUDDIN: No, Sir, I cannot speak on the amendment now.

Mr. K. SHAHABUDDIN: May I remind you, Sir, that you gave us a definite assurance that if the business before the House is not disposed of, you would carry on with it. It is Government business that is before the House today, and if this business is not completed you have got the authority to adjourn the House till tomorrow when the unfinished business of today will be taken up. Government may refuse that, but to do justice to the Opposition you should give them due and proper opportunity for discussion, for we hope that you have realised the force of our contention.

Mr. DEPUTY SPEAKER: Mr. Shahabuddin, you have submitted all your points but my difficulty is that no more days having already been allotted for further discussion on this subject, I am asolutely helpless until the Home Department communicate to me their decision to continue the debate. It is only fair therefore that I will try to close the debate today—(At this stage there was again a loud noise from the Opposition benches.) Sir Nazimuddin, I want to know from you whether you will be helping me

in conducting the business of the House in a normal way. I have already had a bitter experience today and I want to know from you whether you will help me in conducting the business peacefully.

Mr. DAVID HENDRY: Mr. Deputy Speaker, Sir, I have no desire to discuss the amendment moved by Mr. Syed Badrudduja. We had had no time to go through this amendment before this morning when on coming into the House we found it placed on our table. The only question that I should like you now to answer is whether if you have considered the amendment as having been moved, we hope that in view of the circumstances which have arisen that you will put the motion we have tabled first and the amendment afterwards.

Mr. DEPUTY SPEAKER: The amendment has been moved and as regards your request to put your motion first to the House .I will see to that at the end of the debate when I will consider whether I will put Mr. Badrudduja's amendment first or your motion first.

Mr. A. F. STARK: May we know, Sir, if Mr. Badrudduja's amendment is to be treated as moved. We have not heard it.

Mr. SYED BADRUDDUJA: May I submit, Sir, that I have moved my amendment——. (At this stage when Mr. Badrudduja was continuing his speech there were cries of "nobody heard it" and uproars and interruptions from the Opposition benches in which the honourable member's voice was drowned.)

Mr. ABUL HASHIM: On a point of explanation, Sir. You have been pleased to remark that the conduct of some of the members of the Opposition has been derogatory to parliamentary etiquette. I want to know from you whether we have a right to defend our just rights in the way we think fit and proper. If we find that not only ours but the rights of the whole Muslim community are being trampled by a deep-laid conspiracy——.

Mr. DEPUTY SPEAKER: Order, order. Mr. Syed Badrudduja.

(When Mr. Badrudduja was on his legs and was delivering a speech there was a tremendous noise from the Opposition benches in which the voice of the honourable member was completely drowned and in its midst the House was adjourned, *sine die* by Mr. Deputy Speaker at 11-35 a.m.)

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